

SENATE SUMMARY OF HOUSE AMENDMENTS

**SB 148 By Senator Dorsey-Colomb**

**KEYWORD AND SUMMARY AS RETURNED TO THE SENATE**

CRIME/PUNISHMENT. Provides for sentencing for certain deaths when there are multiple victims. (gov sig)

**SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL**

1. Adds that proposed law applies notwithstanding the present law and that if convicted of vehicular homicide that proximately or directly causes the death of two or more human beings, then the offender is to be sentenced separately for each victim with each sentence running consecutively.
2. Proposed law provides that in calculating the number of deaths, a human being shall include an unborn child.

**DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE**

Dorsey-Colomb

SB No. 148

Present law provides that whoever commits the crime of vehicular homicide is to be fined not less than \$2,000 nor more than \$15,000 and imprisoned with or without hard labor for not less than five years nor more than 30 years. Present law further provides that at least three years of the sentence of imprisonment is to be imposed without benefit of probation, parole, or suspension of sentence.

Present law provides that if the operator's blood alcohol concentration is 0.15 percent or more by weight based upon grams of alcohol per 100 cubic centimeters of blood, then at least five years of the sentence of imprisonment is to be imposed without benefit of probation, parole, or suspension of sentence.

Present law provides that if the offender was previously convicted of a violation of the present law crime of operating a vehicle while intoxicated, then at least five years of the sentence of imprisonment is to be imposed without benefit of probation, parole, or suspension of sentence.

Present law (C.Cr.P. Art. 883) provides that if a defendant is convicted of two or more offenses based on the same act or transaction, or constituting parts of a common scheme or plan, the terms of imprisonment shall be served concurrently unless the court expressly directs that some or all be served consecutively.

Proposed law provides that notwithstanding present law provisions of C.Cr.P. Art. 883, if the offense of vehicular homicide for which the offender was convicted proximately or directly causes the death of two or more human beings then requires that the offender be sentenced separately for each victim, and that the sentences run consecutively.

Proposed law provides that in calculating the number of deaths, a human being shall include an unborn child.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 14:32.1(C))

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