

HOUSE BILL NO. HB0160

DUI penalty for causing serious bodily injury.

Sponsored by: Representative(s) Hinckley

A BILL

for

1 AN ACT relating to motor vehicles; increasing a specified
2 penalty from a misdemeanor to a felony for causing serious
3 bodily injury while driving under the influence of an
4 intoxicating liquor or controlled substance; providing
5 minimum sentences as specified; and providing for an
6 effective date.

7

8 *Be It Enacted by the Legislature of the State of Wyoming:*

9

10 **Section 1.** W.S. 31-5-233(h)(i) and (ii) is amended to
11 read:

12

13 **31-5-233. Driving or having control of vehicle while**
14 **under influence of intoxicating liquor or controlled**
15 **substances; penalties.**

16

(h) As used in this subsection, "serious bodily injury" means bodily injury which creates a reasonable likelihood of death or which causes miscarriage or serious permanent disfigurement or protracted loss or impairment of any bodily member or organ. Whoever causes serious bodily injury to another person resulting from the violation of this section shall be punished upon conviction as follows:

(i) If not subject to the penalty under paragraph (ii) of this subsection, by a fine of not less than two thousand dollars (\$2,000.00) nor more than five thousand dollars (\$5,000.00), imprisonment for not less than ~~six (6) months~~ one (1) year nor more than ~~one (1) year~~ five (5) years, or both;

(ii) If previously convicted and sentenced under this subsection, or any other law substantially conforming to the provisions of this subsection, by imprisonment for not less than two (2) years nor more than twenty (20) years; and

Section 2. This act is effective July 1, 2006.

(END)