

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 12-0039.01 Richard Sweetman x4333

HOUSE BILL 12-1084

HOUSE SPONSORSHIP

Fields and Conti,

SENATE SPONSORSHIP

Jahn and King S.,

House Committees
Judiciary

Senate Committees

A BILL FOR AN ACT

101 CONCERNING INCREASING THE PUNISHMENT FOR LEAVING THE SCENE
102 OF A TRAFFIC ACCIDENT THAT RESULTED IN SERIOUS BODILY
103 INJURY TO ANY PERSON.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Under current law, a driver of any vehicle directly involved in an accident resulting in injury or worse to any person is required to remain at the scene of the accident until the driver has fulfilled certain statutory requirements. The penalty for leaving the scene of an accident resulting

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

in serious bodily injury to any person is increased from a class 5 felony to a class 4 felony.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 42-4-1601, **amend**
3 (1) and (2) (b) as follows:

4 **42-4-1601. Accidents involving death or personal injuries -**
5 **duties.** (1) The driver of any vehicle directly involved in an accident
6 resulting in injury to, serious bodily injury to, or death of any person shall
7 immediately stop such vehicle at the scene of such accident or as close to
8 the scene as possible ~~but~~ OR shall immediately return to ~~and in every~~
9 ~~event~~ THE SCENE OF THE ACCIDENT. THE DRIVER shall THEN remain at the
10 scene of the accident until the driver has fulfilled the requirements of
11 section 42-4-1603 (1). Every such stop shall be made without obstructing
12 traffic more than is necessary.

13 (2) Any person who violates any provision of this section
14 commits:

15 (b) A ~~class 5~~ CLASS 4 felony if the accident resulted in serious
16 bodily injury to any person;

17 **SECTION 2. Exception to the requirements of section 2-2-703,**
18 **Colorado Revised Statutes.** The general assembly hereby finds that the
19 amendments to section 42-4-1601, Colorado Revised Statutes, enacted in
20 section 1 of this act will result in a minor fiscal impact to the department
21 of corrections during the five years following passage of this act. Because
22 of the relative insignificance of this degree of fiscal impact, these
23 amendments are an exception to the five-year appropriation requirements
24 specified in section 2-2-703, Colorado Revised Statutes.

25 **SECTION 3. Act subject to petition - effective date.** This act

1 takes effect at 12:01 a.m. on the day following the expiration of the
2 ninety-day period after final adjournment of the general assembly (August
3 7, 2012, if adjournment sine die is on May 9, 2012); except that, if a
4 referendum petition is filed pursuant to section 1 (3) of article V of the
5 state constitution against this act or an item, section, or part of this act
6 within such period, then the act, item, section, or part will not take effect
7 unless approved by the people at the general election to be held in
8 November 2012 and, in such case, will take effect on the date of the
9 official declaration of the vote thereon by the governor.