

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

HOUSE BILL 12-1084

BY REPRESENTATIVE(S) Fields and Conti, Fischer, Hamner, Hulinghorst, Kerr A., Kerr J., Labuda, Levy, McCann, Schafer S., Singer, Todd, Vigil, Williams A., Young, McNulty;  
also SENATOR(S) Jahn and King S., Boyd, Brophy, Carroll, Giron, Heath, Hodge, Johnston, Lambert, Newell, Nicholson, Roberts, Schwartz, Tochtrop, White.

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

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

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

**42-4-1601. Accidents involving death or personal injuries - duties.** (1) The driver of any vehicle directly involved in an accident resulting in injury to, serious bodily injury to, or death of any person shall immediately stop such vehicle at the scene of such accident or as close to the scene as possible ~~but~~ OR shall immediately return to ~~and in every event~~ THE SCENE OF THE ACCIDENT. THE DRIVER shall THEN remain at the scene of the accident until the driver has fulfilled the requirements of section

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

42-4-1603 (1). Every such stop shall be made without obstructing traffic more than is necessary.

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

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

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

**SECTION 3. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 8, 2012, if adjournment sine die is on May 9, 2012); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2012 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

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Frank McNulty  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO