



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4651

by Rep. Kevin Joyce

SYNOPSIS AS INTRODUCED:

720 ILCS 5/2-3.7 new
720 ILCS 5/2-6.7 new
720 ILCS 5/9-3.4 new
720 ILCS 5/12-5.05 new

Amends the Criminal Code of 1961. Establishes the Billy Grant Law. Creates the offense of negligent vehicular homicide of an emergency worker. Provides that a driver of a motor vehicle commits the offense of negligent vehicular homicide of an emergency worker when he or she: (1) fails to yield the right-of-way upon the immediate approach of an authorized emergency vehicle or upon approaching a stationary authorized emergency vehicle; and (2) negligently causes the death of one or more emergency workers as a result of the driver's failure to yield the right-of-way to the authorized emergency vehicle. Establishes penalties. Creates the offense of vehicular injury to an emergency worker. Provides that a driver of a motor vehicle commits the offense of vehicular injury to an emergency worker when he or she: (1) fails to yield the right-of-way upon the immediate approach of an authorized emergency vehicle or upon approaching a stationary authorized emergency vehicle; and (2) negligently causes injury to one or more emergency workers as a result of the driver's failure to yield the right-of-way to the authorized emergency vehicle. Establishes penalties. Effective immediately.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law, which may be referred to as
2 the Billy Grant Law.

3 **Be it enacted by the People of the State of Illinois,**
4 **represented in the General Assembly:**

5 Section 5. The Criminal Code of 1961 is amended by adding
6 Sections 2-3.7, 2-6.7, 9-3.4 and 12-5.05 as follows:

7 (720 ILCS 5/2-3.7 new)

8 Sec. 2-3.7. "Authorized emergency vehicle". "Authorized
9 emergency vehicle" has the meaning ascribed to it in Section
10 1-105 of the Illinois Vehicle Code.

11 (720 ILCS 5/2-6.7 new)

12 Sec. 2-6.7. "Emergency worker". "Emergency worker" means a
13 peace officer, firefighter, paramedic, emergency medical
14 technician, or emergency management worker.

15 (720 ILCS 5/9-3.4 new)

16 Sec. 9-3.4. Negligent vehicular homicide of an emergency
17 worker.

18 (a) A driver of a motor vehicle commits the offense of
19 negligent vehicular homicide of an emergency worker when he or
20 she:

21 (1) fails to yield the right-of-way upon the immediate

1 approach of an authorized emergency vehicle making use of
2 audible and visual signals meeting the requirements of the
3 Illinois Vehicle Code or upon approaching a stationary
4 authorized emergency vehicle when the authorized emergency
5 vehicle is giving a signal by displaying alternating
6 flashing red, red and white, blue, or red and blue lights
7 or amber or yellow warning lights as required by Section
8 11-907 of the Illinois Vehicle Code; and

9 (2) negligently causes the death of one or more
10 emergency workers as a result of the driver's failure to
11 yield the right-of-way to the authorized emergency vehicle
12 or proceed with due caution as required by Section 11-907
13 of the Illinois Vehicle Code.

14 (b) Sentence.

15 (1) Except as otherwise provided in clause (2) of this
16 subsection (b), in cases involving negligent vehicular
17 homicide of an emergency worker, the penalty is a Class 2
18 felony, for which a person, if sentenced to a term of
19 imprisonment, shall be sentenced to a term of not less than 3
20 years and not more than 14 years.

21 (2) In cases involving negligent vehicular homicide of an
22 emergency worker, which causes the deaths of 2 or more persons
23 as part of a single course of conduct, the penalty is a Class 2
24 felony, for which a person, if sentenced to a term of
25 imprisonment, shall be sentenced to a term of not less than 6
26 years and not more than 28 years.

1 (720 ILCS 5/12-5.05 new)

2 Sec. 12-5.05. Vehicular injury to an emergency worker.

3 (a) A driver of a motor vehicle commits the offense of
4 vehicular injury to an emergency worker when he or she:

5 (1) fails to yield the right-of-way upon: the immediate
6 approach of an authorized emergency vehicle making use of
7 audible and visual signals meeting the requirements of the
8 Illinois Vehicle Code or upon approaching a stationary
9 authorized emergency vehicle when the authorized emergency
10 vehicle is giving a signal by displaying alternating
11 flashing red, red and white, blue, or red and blue lights
12 or amber or yellow warning lights as required by Section
13 11-907 of the Illinois Vehicle Code; and

14 (2) negligently causes injury to one or more emergency
15 workers as a result of the driver's failure to yield the
16 right-of-way to the authorized emergency vehicle or
17 proceed with due caution as required by Section 11-907 of
18 the Illinois Vehicle Code.

19 (b) Sentence. Vehicular injury to an emergency worker is a
20 Class 4 felony for which the person, in addition to any term of
21 imprisonment imposed by the court, shall be sentenced to a
22 minimum fine of \$10,000.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law.