

1 AN ACT concerning criminal law.

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

4 Section 5. The Criminal Code of 1961 is amended by adding
5 Section 9-3.4 as follows:

6 (720 ILCS 5/9-3.4 new)

7 Sec. 9-3.4. Negligent vehicular homicide.

8 (a) A person commits the offense of negligent vehicular
9 homicide if the person's negligent operation of a motor vehicle
10 is a proximate cause of the death of another person.

11 (b) A person acts negligently within the meaning of this
12 Section if he or she fails to be aware of a substantial and
13 unjustifiable risk of death or injury to others, and that
14 failure constitutes a substantial deviation from the standard
15 of care that a reasonable person would exercise under the
16 circumstances then prevailing.

17 (c) The finder of fact may consider statutes and ordinances
18 regulating the defendant's conduct in determining whether he or
19 she was culpably negligent under subsection (a).

20 (d) Negligent vehicular homicide is a Class A misdemeanor.