

1 AN ACT concerning criminal law.

2 WHEREAS, This amendatory Act of the 95th General Assembly
3 may be referred to as Judee's Law; therefore

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

6 Section 5. The Illinois Vehicle Code is amended by changing
7 Section 11-401 as follows:

8 (625 ILCS 5/11-401) (from Ch. 95 1/2, par. 11-401)

9 Sec. 11-401. Motor vehicle accidents involving death or
10 personal injuries.

11 (a) The driver of any vehicle involved in a motor vehicle
12 accident resulting in personal injury to or death of any person
13 shall immediately stop such vehicle at the scene of such
14 accident, or as close thereto as possible and shall then
15 forthwith return to, and in every event shall remain at the
16 scene of the accident until the requirements of Section 11-403
17 have been fulfilled. Every such stop shall be made without
18 obstructing traffic more than is necessary.

19 (b) Any person who has failed to stop or to comply with the
20 requirements of paragraph (a) shall, as soon as possible but in
21 no case later than one-half hour after such motor vehicle
22 accident, or, if hospitalized and incapacitated from reporting

1 at any time during such period, as soon as possible but in no
2 case later than one-half hour after being discharged from the
3 hospital, report the place of the accident, the date, the
4 approximate time, the driver's name and address, the
5 registration number of the vehicle driven, and the names of all
6 other occupants of such vehicle, at a police station or
7 sheriff's office near the place where such accident occurred.
8 No report made as required under this paragraph shall be used,
9 directly or indirectly, as a basis for the prosecution of any
10 violation of paragraph (a).

11 (b-1) Any person arrested for violating this Section is
12 subject to chemical testing of his or her blood, breath, or
13 urine for the presence of alcohol, other drug or drugs,
14 intoxicating compound or compounds, or any combination
15 thereof, as provided in Section 11-501.1, if the testing occurs
16 within 12 hours of the time of the occurrence of the accident
17 that led to his or her arrest. The person's driving privileges
18 are subject to statutory summary suspension under Section
19 11-501.1 if he or she fails or refuses to undergo the testing.

20 For purposes of this Section, personal injury shall mean
21 any injury requiring immediate professional treatment in a
22 medical facility or doctor's office.

23 (c) Any person failing to comply with paragraph (a) shall
24 be guilty of a Class 4 felony.

25 (d) Any person failing to comply with paragraph (b) is
26 guilty of a Class 2 ~~3~~ felony if the motor vehicle accident does

1 not result in the death of any person. Any person failing to
2 comply with paragraph (b) when the accident results in the
3 death of any person is guilty of a Class 1 ~~2~~ felony, ~~for which~~
4 ~~the person, if sentenced to a term of imprisonment, shall be~~
5 ~~sentenced to a term of not less than 3 years and not more than~~
6 ~~14 years.~~

7 (e) The Secretary of State shall revoke the driving
8 privilege of any person convicted of a violation of this
9 Section.

10 (Source: P.A. 93-684, eff. 1-1-05; 94-115, eff. 1-1-06.)