



Sen. Ira I. Silverstein

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09500SB1005sam001

LRB095 05879 RLC 34353 a

1 AMENDMENT TO SENATE BILL 1005

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1005 in the title  
3 by inserting ", which may be referred to as Judee's Law" after  
4 "law"; and

5 by replacing everything after the enacting clause with the  
6 following:

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

9 (625 ILCS 5/11-401) (from Ch. 95 1/2, par. 11-401)

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

12 (a) The driver of any vehicle involved in a motor vehicle  
13 accident resulting in personal injury to or death of any person  
14 shall immediately stop such vehicle at the scene of such  
15 accident, or as close thereto as possible and shall then

1     forthwith return to, and in every event shall remain at the  
2     scene of the accident until the requirements of Section 11-403  
3     have been fulfilled. Every such stop shall be made without  
4     obstructing traffic more than is necessary.

5           (b) Any person who has failed to stop or to comply with the  
6     requirements of paragraph (a) shall, as soon as possible but in  
7     no case later than one-half hour after such motor vehicle  
8     accident, or, if hospitalized and incapacitated from reporting  
9     at any time during such period, as soon as possible but in no  
10    case later than one-half hour after being discharged from the  
11    hospital, report the place of the accident, the date, the  
12    approximate time, the driver's name and address, the  
13    registration number of the vehicle driven, and the names of all  
14    other occupants of such vehicle, at a police station or  
15    sheriff's office near the place where such accident occurred.  
16    No report made as required under this paragraph shall be used,  
17    directly or indirectly, as a basis for the prosecution of any  
18    violation of paragraph (a).

19           (b-1) Any person arrested for violating this Section is  
20    subject to chemical testing of his or her blood, breath, or  
21    urine for the presence of alcohol, other drug or drugs,  
22    intoxicating compound or compounds, or any combination  
23    thereof, as provided in Section 11-501.1, if the testing occurs  
24    within 12 hours of the time of the occurrence of the accident  
25    that led to his or her arrest. The person's driving privileges  
26    are subject to statutory summary suspension under Section

1 11-501.1 if he or she fails or refuses to undergo the testing.

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

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

7 (d) Any person failing to comply with paragraph (b) is  
8 guilty of a Class 2 ~~3~~ felony if the motor vehicle accident does  
9 not result in the death of any person. Any person failing to  
10 comply with paragraph (b) when the accident results in the  
11 death of any person is guilty of a Class 1 ~~2~~ felony, ~~for which~~  
12 ~~the person, if sentenced to a term of imprisonment, shall be~~  
13 ~~sentenced to a term of not less than 3 years and not more than~~  
14 ~~14 years.~~

15 (e) The Secretary of State shall revoke the driving  
16 privilege of any person convicted of a violation of this  
17 Section.

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