



HOUSE BILL 32: Amend Habitual DWI

2015-2016 General Assembly

Committee: Senate Judiciary I
Introduced by: Rep. Jackson
Analysis of: Second Edition

Date: July 16, 2015
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SUMMARY: *House Bill 32 would amend the offense of Habitual Impaired Driving by reducing the number of prior offenses required, and providing that once an offender is convicted of Habitual Impaired Driving any future offenses will also be prosecuted as Habitual offenses.*

[As introduced, this bill was identical to S309, as introduced by Sen. Stein, which is currently in Senate Transportation. If fav, re-ref to Judiciary I.]

CURRENT LAW: A person is guilty of habitual impaired driving if they commit the offense of impaired driving and have 3 or more prior convictions of impaired driving within 10 years of the new offense. Habitual impaired driving is punishable as a Class F felony and requires a minimum 12 month active sentence. A conviction under this statute also results in a permanent license revocation.

BILL ANALYSIS: House Bill 32 would amend the number of prior convictions required for habitual impaired driving to only require 2 prior convictions within the 10 years preceding the current offense. Additionally, the bill would provide that if a person has previously been convicted of habitual impaired driving, any new offense shall also be habitual impaired driving.

EFFECTIVE DATE: This act becomes effective December 1, 2015, and applies to offenses committed on or after that date.

