

IN THE SENATE

SENATE BILL NO. 1369

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO MANSLAUGHTER; AMENDING SECTION 18-4007, IDAHO CODE, TO REVISE
A PROVISION REGARDING A PENALTY AND TO MAKE A TECHNICAL CORRECTION; AND
DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 18-4007, Idaho Code, be, and the same is hereby
amended to read as follows:

18-4007. PUNISHMENT FOR MANSLAUGHTER. Manslaughter is punishable as
follows:

(1) Voluntary -- by a fine of not more than fifteen thousand dollars
(\$15,000), or by a sentence to the custody of the state board of correction
not exceeding fifteen (15) years, or by both such fine and imprisonment.

(2) Involuntary -- by a fine of not more than ten thousand dollars
(\$10,000), or by a sentence to the custody of the state board of correction
not exceeding ten (10) years, or by both such fine and imprisonment.

(3) Vehicular -- in the operation of a motor vehicle:

(a) For a violation of section 18-4006(3) (a), Idaho Code, by a fine of
not more than ten thousand dollars (\$10,000), or by a sentence to the
custody of the state board of correction not exceeding ten (10) years,
or by both such fine and imprisonment.

(b) For a violation of section 18-4006(3) (b), Idaho Code:

(i) For a person who has not previously been found guilty of or
pled guilty to a violation of the provisions of section 18-8004
or 18-8006, Idaho Code, or any substantially conforming for-
eign criminal violation, as described in section 18-8005(10),
Idaho Code, by a fine of not more than fifteen thousand dollars
(\$15,000), or by a sentence to the custody of the state board of
correction not exceeding fifteen (15) years, or by both such fine
and imprisonment.

(ii) For a person who has previously been found guilty of or
pled guilty to a violation of the provisions of section 18-8004
or 18-8006, Idaho Code, or any substantially conforming foreign
criminal violation, as described in section 18-8005(10), Idaho
Code, notwithstanding the form of the judgment or withheld judg-
ment, by a fine of not more than twenty thousand dollars (\$20,000)
and by a sentence to the custody of the state board of correction
for a mandatory minimum fixed term of imprisonment of ten (10)
years, not to exceed twenty-five (25) years.

(c) For a violation of section 18-4006(3) (c), Idaho Code, by a fine of
not more than two thousand dollars (\$2,000), or by a jail sentence not
exceeding one (1) year, or by both such fine and jail sentence.

1 (d) In addition to the foregoing, any person convicted of a violation
2 of section 18-4006(3), Idaho Code, ~~which~~ that resulted in the death of
3 the parent or parents of minor children may be ordered by the court to
4 pay support for each such minor child until the child reaches the age of
5 eighteen (18) years. In setting the amount of support, the court shall
6 consider all relevant factors. The nonpayment of such support shall
7 be subject to enforcement and collection by the surviving parent or
8 guardian of the child in the same manner that other child support orders
9 are enforced as provided by law. In no event shall the child support
10 judgment or order imposed by the court under this section be paid or in-
11 demnified by the proceeds of any liability insurance policy.

12 (e) In addition to the foregoing, the driver's license of any person
13 convicted of a violation of section 18-4006(3), Idaho Code, may be sus-
14 pended for a time determined by the court.

15 SECTION 2. An emergency existing therefor, which emergency is hereby
16 declared to exist, this act shall be in full force and effect on and after
17 July 1, 2024.