

State Senator  
**Don White**  
41st Senatorial District

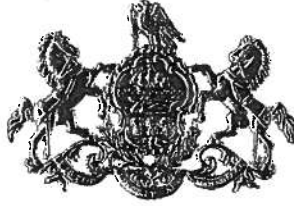
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**Senate of Pennsylvania**

December 17, 2010

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TO: All Senators

FR: Senator Don White *DCW*

RE: Co-sponsorship: Hit and Run--DUI

I plan to re-introduce a bill (Senate Bill 1049 from last session) addressing the mandatory minimum sentencing discrepancies under current statute Title 75, Section 3742. This proposed bill will be a companion bill to HB 352.

Under current law, a person under the influence of a controlled substance or alcohol during the act of a hit and run incident, resulting in injury or death, will receive the same mandatory minimum sentence as hit and run incidents not involving controlled substances or alcohol. The purpose of the bill is to provide proportionality to the sentences being imposed. The disregard for the rule of law is greater when a hit and run incident occurs as a result of, or associated with, additional statutes being broken.

Consequently, it is necessary to amend current law to account for this disproportionality. This bill will increase the mandatory minimum sentences when it is found that controlled substances or alcohol are associated with a hit and run incident. When a hit and run incident results in serious bodily injury and controlled substances or alcohol are involved, the mandatory minimum sentence imposed will increase from ninety days to at least a one year term of imprisonment. Similarly, if a hit and run victim dies as a result of the hit and run incident and controlled substances or alcohol are involved, the mandatory minimum sentence imposed will increase from a one year mandatory minimum sentence to at least a three year term of imprisonment.

Cosponsors from last session were: D. WHITE, RAFFERTY, LOGAN, HUGHES, O'PAKE, ORIE, FOLMER, TARTAGLIONE, CORMAN, WARD, WOZNIAK and FARNESE.

If you would like to cosponsor this bill, please contact Anne Achenbach at [aachenbach@pasen.gov](mailto:aachenbach@pasen.gov) or call 7-8724.

DCW/ama