

FORTY-FIFTH LEGISLATURE
FIRST SESSION, 2001

SB 305/a

March 8, 2001

Mr. President:

Your JUDICIARY COMMITTEE, to whom has been referred

SENATE BILL 305

has had it under consideration and reports same with recommendation that it DO PASS, amended as follows:

1. On page 5, line 22, strike "owned" and insert in lieu thereof "driven".

2. On page 5, lines 22 and 23, strike "or available for the offender's personal use".

3. On page 5, line 24, strike "six months" and insert in lieu thereof "one year".

4. On page 14, line 19, strike "five" and insert in lieu thereof "one hundred twenty".

5. On page 14, line 19, strike "days" and insert in lieu thereof "hours".

6. On page 16, strike lines 10 through 22 and insert in lieu thereof the following subsections:

"I. Upon a second or subsequent conviction pursuant to this section, an offender shall be required to participate in and complete, within a time specified by the court, not less than a thirty-day in-patient treatment program approved by the court or not less than a sixty-day out-patient treatment program approved by the court. The requirement imposed pursuant to this subsection shall not be suspended, deferred or taken under advisement.

J. Upon any subsequent conviction pursuant to this section, an offender shall be required to have all motor vehicles driven by the offender impounded or immobilized for the period that the offender's driver's license is revoked or have ignition

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interlock devices installed and operating for a period of at least one year following reinstatement of his driver's license on all motor vehicles driven by the offender pursuant to rules adopted by the bureau. The offender shall be required to prove one year of continuous, legal, alcohol-free driving before the device may be removed. The offender shall pay all costs associated with immobilizing or impounding his motor vehicles or having ignition interlock devices installed on the appropriate motor vehicles."

7. Reletter the succeeding subsections accordingly.

Respectfully submitted,

Michael S. Sanchez, Chairman

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____

The roll call vote was 4 For 2 Against
Yes: 4
No: Martinez, Sanchez, M
Excused: Feldman, Gorham, Lopez, McSorley
Absent: None

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