

February 27, 2003

Madam President:

Your PUBLIC AFFAIRS COMMITTEE, to whom has been referred

HOUSE JUDICIARY COMMITTEE SUBSTITUTE FOR
HOUSE BILL 117

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

1. On page 1, lines 15 through 17, strike "LOWERING THE PRESUMPTION OF INTOXICATION FOR CRIMINAL DWI FOR A PERSON LESS THAN TWENTY-ONE YEARS OF AGE;".

2. On page 1, line 21, after the semicolon insert "PROVIDING FOR INSTALLATION OF AN IGNITION INTERLOCK DEVICE AS A CONDITION OF RELEASE ON BAIL;".

3. On page 8, line 7, strike the underscored "twenty-one years of age or older".

4. On page 8, line 10, after the semicolon insert "and".

5. On page 8, line 13, after "state" strike the remainder of the line, strike lines 14 through 17 in their entirety and insert in lieu thereof a period.

6. On page 10, line 16, after the period insert "The court may impose any portion of a suspended sentence at any time during an offender's period of probation if the offender does not comply with a condition of his probation.".

7. On page 13, line 3, after "other" insert "minimum mandatory".

8. On page 13, line 11, remove the brackets and line through "any" and strike the underscored "a first".

9. On page 13, line 14, after "program" insert "approved by the department of finance and administration".

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10. On page 13, line 21, strike the underscored "thirty-day" and insert in lieu thereof "twenty-eight-day".

11. On page 13, line 21, after "inpatient" insert ", residential or in-custody".

12. On page 14, line 12, strike "Unless determined by the sentencing court to be indigent, the" and insert in lieu thereof "The" and on page 14, line 14, after "vehicles" insert ", unless he is determined to be indigent pursuant to a standard adopted by the department of finance and administration".

13. On page 14, line 25 and page 15, line 1, strike "Unless determined by the sentencing court to be indigent, the" and insert in lieu thereof "The" and on page 15, line 3, after "vehicles" insert ", unless he is determined to be indigent pursuant to a standard adopted by the department of finance and administration".

14. On page 15, lines 12 and 13, strike "Unless determined by the sentencing court to be indigent, the" and insert in lieu thereof "The" and on page 15, line 15, after "vehicles" insert ", unless he is determined to be indigent pursuant to a standard adopted by the department of finance and administration".

15. On page 16, between lines 11 and 12, insert the following new subsection to read:

"U. As a condition of release on bail following a person's arrest for driving while under the influence of intoxicating liquor or drugs, the presiding court may require the person to have an ignition interlock device installed on the motor vehicle driven by the person when he was arrested. "

16. Reletter the succeeding subsection accordingly.

17. On page 17, lines 7 and 8, strike the underscored "if the person charged is twenty-one years of age or older".

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18. On page 17, line 8, after the semicolon insert "or".
19. On page 17, line 10, after "vehicle" strike the remainder of the line, strike lines 11 and 12 in their entirety and insert in lieu thereof a period and closing quotation mark.
20. On page 18, lines 3 and 4, strike the underscored "if the person is at least twenty-one years of age".
21. On page 18, line 11, strike the underscored "or is under twenty-one years of age".
22. On page 18, line 16, after the semicolon insert "or".
23. On page 18, line 20, after "liquor" strike the remainder of the line, strike lines 21 through 24 in their entirety and insert in lieu thereof a period.
24. On page 19, lines 6 and 7, strike the underscored "if the person is twenty-one years of age or older".
25. On page 19, line 7, after the semicolon insert "or".
26. On page 19, line 9, after "vehicle" strike the remainder of the line, strike lines 10 and 11 in their entirety and insert in lieu thereof a period.,

and thence referred to the JUDICIARY COMMITTEE.

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Respectfully submitted,

Dede Feldman, Chairman

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

Date _____

The roll call vote was 7 For 0 Against

Yes: 7

No: 0

Excused: Komadina, Sanchez, M

Absent: None

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