

Bill No. CS for SB 190

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator McKay moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	Delete everything after the enacting clause		
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16	and insert:		
17	Section 1. Section 832.09, Florida Statutes, is		
18	created to read:		
19	<u>832.09 Suspension of driver license after warrant or</u>		
20	<u>capias is issued in worthless check case.--</u>		
21	<u>(1) Any person who does not fulfill the agreements for</u>		
22	<u>a bad check diversion program pursuant to s. 832.08 or who is</u>		
23	<u>being prosecuted for passing a worthless check in violation of</u>		
24	<u>s. 832.05, who fails to appear before the court and against</u>		
25	<u>whom a warrant or capias for failure to appear is issued by</u>		
26	<u>the court shall have his or her driver's license suspended or</u>		
27	<u>revoked pursuant to s. 322.251.</u>		
28	<u>(2) Within 5 working days after the issuance of a</u>		
29	<u>warrant or capias for failure to appear the clerk of the court</u>		
30	<u>in the county where the warrant or capias is issued, shall</u>		
31	<u>notify the Department of Highway Safety and Motor Vehicles by</u>		

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1 the most efficient method available of the action of the
2 court.

3 Section 2. Subsection (7) is added to section 322.251,
4 Florida Statutes, to read:

5 322.251 Notice of cancellation, suspension,
6 revocation, or disqualification of license.--

7 (7)(a) A person whose driving privilege is suspended
8 or revoked pursuant to s. 832.09 shall be notified, pursuant
9 to this section, and the notification shall direct the person
10 to surrender himself or herself to the sheriff who entered the
11 warrant to satisfy the conditions of the warrant. A person
12 whose driving privilege is suspended or revoked under this
13 subsection shall not have his or her driving privilege
14 reinstated for any reason other than:

15 1. Full payment of any restitution, court costs, and
16 fees incurred as a result of a warrant or capias being issued
17 pursuant to s. 832.09.

18 2. The cancellation of the warrant or capias from the
19 Department of Law Enforcement recorded by the entering agency.

20 3. The payment of an additional fee of \$10 to the
21 Department of Highway Safety and Motor Vehicles to be paid
22 into the Highway Safety Operating Trust Fund.

23 (b) The Department of Law Enforcement shall provide
24 electronic access to the department for the purpose of
25 identifying any person who is the subject of an outstanding
26 warrant or capias for passing worthless bank checks.

27 (c) The Department of Highway Safety and Motor
28 Vehicles and the Department of Law Enforcement shall develop
29 and implement a plan to ensure the identification of any
30 person who is the subject of an outstanding warrant or capias
31 for passing worthless bank checks and to ensure the

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1 identification of the person's driver's license record.

2 Section 3. This act shall take effect July 1, 1998.

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5 ===== T I T L E A M E N D M E N T =====

6 And the title is amended as follows:

7 Delete everything before the enacting clause

8

9 and insert:

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A bill to be entitled

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An act relating to worthless checks; creating

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s. 832.09, F.S.; providing for the suspension

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of a driver's license with respect to certain

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persons who do not fulfill an agreement for a

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bad check diversion program or against whom a

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warrant or capias is issued in a worthless

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check case; amending s. 322.251, F.S.;

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providing for notification; providing for

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conditions for reinstatement; providing a fee;

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directing the Department of Highway Safety and

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Motor Vehicles and the Department of Law

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Enforcement to develop and implement a plan;

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providing an effective date.

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