

Amendment No. 3 (for drafter's use only)

| | <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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ORIGINAL STAMP BELOW

11 Representative(s) Byrd offered the following:

13 **Amendment**

14 On page 25, line 28 through page 26, line 10
15 remove from the bill: all of said lines

17 and insert in lieu thereof: Any person who has refused to
18 submit to a chemical or physical test of his or her breath,
19 blood, or urine, as described in s. 327.352, and:

20 (1) Whom the arresting law enforcement officer had
21 probable cause to believe was driving or in actual physical
22 control of a vessel in this state while under the influence of
23 alcoholic beverages or controlled substances;

24 (2) Who was placed under lawful arrest for a violation
25 of s. 327.35, unless such test was requested pursuant to s.
26 327.352(1)(c);

27 (3) Who was informed that if he or she refused to
28 submit to such test he or she is subject to a \$500 fine; and
29 that the refusal to submit to such test is a misdemeanor; and

30 (4) Who, after having been so informed, refused to
31 submit to any such test when requested to do so by a law

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1 enforcement officer or correctional officer
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3 commits a misdemeanor of the first degree and is subject to
4 punishment as provided in s. 775.082 or s. 775.083.
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