

Amendment No. 2 (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 15, lines 6-13,  
15 remove from the bill: all of said lines  
16  
17 and insert in lieu thereof:

18 (1) Any person who has refused to submit to a chemical  
19 or physical test of his or her breath, blood, or urine, as  
20 described in s. 316.1932, and:

21 (a) Whom the arresting law enforcement officer had  
22 probable cause to believe was driving or in actual physical  
23 control of a motor vehicle in this state while under the  
24 influence of alcoholic beverages, chemical substances, or  
25 controlled substances;

26 (b) Who was placed under lawful arrest for a violation  
27 of s. 316.193, unless such test was requested pursuant to s.  
28 316.1932(1)(c);

29 (c) Who was informed that if he or she refused to  
30 submit to such test his or her privilege to operate a motor  
31 vehicle would be suspended for a period of 1 year or, in the

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1 case of a second or subsequent refusal, for a period of 18  
2 months, and that the refusal to submit to such test is a  
3 misdemeanor; and  
4 (d) Who, after having been so informed, refused to  
5 submit to any such test when requested to do so by a law  
6 enforcement officer or correctional officer  
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8 commits a misdemeanor of the first degree and is subject to  
9 punishment as provided in s. 775.082 or s. 775.083.

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