

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

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Byrd offered the following:

**Amendment**

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

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

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

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

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

(4) Who, after having been so informed, refused to

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1 submit to any such test when requested to do so by a law  
2 enforcement officer or correctional officer  
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4 commits a misdemeanor of the first degree and is subject to  
5 punishment as provided in s. 775.082 or s. 775.083.  
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