

Bill No. CS for SB 1050

Amendment No. ____ Barcode 124818

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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2	04/23/2003 12:59 PM	.	
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11	Senator Smith moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 16, between lines 17 and 18,		
15			
16	insert:		
17	Section 13. Paragraph (g) of subsection (1) and		
18	subsection (4) of section 327.73, Florida Statutes, are		
19	amended to read:		
20	327.73 Noncriminal infractions.--		
21	(1) Violations of the following provisions of the		
22	vessel laws of this state are noncriminal infractions:		
23	(g) Section 328.72(<u>13</u>)(14), relating to operation with		
24	an expired registration.		
25			
26	Any person cited for a violation of any such provision shall		
27	be deemed to be charged with a noncriminal infraction, shall		
28	be cited for such an infraction, and shall be cited to appear		
29	before the county court. The civil penalty for any such		
30	infraction is \$50, except as otherwise provided in this		
31	section. Any person who fails to appear or otherwise properly		

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1 respond to a uniform boating citation shall, in addition to
2 the charge relating to the violation of the boating laws of
3 this state, be charged with the offense of failing to respond
4 to such citation and, upon conviction, be guilty of a
5 misdemeanor of the second degree, punishable as provided in s.
6 775.082 or s. 775.083. A written warning to this effect shall
7 be provided at the time such uniform boating citation is
8 issued.

9 (4) Any person charged with a noncriminal infraction
10 under this section may:

11 (a) Pay the civil penalty, either by mail or in
12 person, within 30 days of the date of receiving the citation;
13 or,

14 (b) If he or she has posted bond, forfeit bond by not
15 appearing at the designated time and location.

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17 If the person cited follows either of the above procedures, he
18 or she shall be deemed to have admitted the noncriminal
19 infraction and to have waived the right to a hearing on the
20 issue of commission of the infraction. Such admission shall
21 not be used as evidence in any other proceedings. If a person
22 who is cited for a violation of s. 327.395 can show a boating
23 safety identification card issued to that person and valid at
24 the time of the citation, the clerk of the court may dismiss
25 the case and may assess a \$5 dismissal fee. If a person who is
26 cited for a violation of s. 328.72(13) can show proof of
27 having a registration for that vessel which was valid at the
28 time of the citation, the clerk may dismiss the case and may
29 assess a \$5 dismissal fee.

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31 (Redesignate subsequent sections.)

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

2 And the title is amended as follows:

3 On page 2, line 8, after the semicolon,

4

5 insert:

6 amending s. 327.73, F.S.; correcting a

7 cross-reference; authorizing the clerk of the

8 court to dismiss expired vessel registration

9 citations upon proof of valid registration at

10 the time of the offense; authorizing a

11 dismissal fee;

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