



447134

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: WD	.	
4/22/2008	.	
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	.	

1 The Committee on Criminal and Civil Justice Appropriations
2 (Crist) recommended the following **amendment**:

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4 **Senate Amendment (with title amendment)**

5 Between line(s) 21-22,
6 insert:

7 Section 1. Paragraph (a) of subsection (6) of section
8 316.193, Florida Statutes, is amended to read:

9 316.193 Driving under the influence; penalties.--

10 (6) With respect to any person convicted of a violation of
11 subsection (1), regardless of any penalty imposed pursuant to
12 subsection (2), subsection (3), or subsection (4):

13 (a) For the first conviction, the court shall place the
14 defendant on probation for a period not to exceed 1 year and, as
15 a condition of such probation, shall order the defendant to
16 participate in public service or a community work project for a
17 minimum of 50 hours. ~~or The court may order a instead, that any~~



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18 | defendant to pay an additional fine of \$10 for each hour of
19 | public service or community work otherwise required only, if the
20 | court finds that, ~~after consideration of~~ the residence or
21 | location of the defendant at the time public service or community
22 | work is required or the defendant's employment obligations would
23 | create an undue hardship for the defendant, ~~payment of the fine~~
24 | ~~is in the best interests of the state~~. However, the total period
25 | of probation and incarceration may not exceed 1 year. The court
26 | must also, as a condition of probation, order the impoundment or
27 | immobilization of the vehicle that was operated by or in the
28 | actual control of the defendant or any one vehicle registered in
29 | the defendant's name at the time of impoundment or
30 | immobilization, for a period of 10 days or for the unexpired term
31 | of any lease or rental agreement that expires within 10 days. The
32 | impoundment or immobilization must not occur concurrently with
33 | the incarceration of the defendant. The impoundment or
34 | immobilization order may be dismissed in accordance with
35 | paragraph (e), paragraph (f), paragraph (g), or paragraph (h).

36 |
37 | ===== T I T L E A M E N D M E N T =====

38 | And the title is amended as follows:

39 | Delete line(s) 2 and 3,

40 | and insert:

41 | An act relating to penalties for traffic offenses;
42 | amending s. 316.193, F.S.; requiring a court to order a
43 | defendant, after a first conviction for driving under the
44 | influence, to participate in a certain number of hours of
45 | community service as a condition of probation; authorizing
46 | a court to impose a specified fine under certain



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47 | conditions; providing an exception; amending s. 318.18,
48 | F.S.;