

Adopted	Rejected
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## COMMITTEE REPORT

YES:	13
NO:	0

### MR. SPEAKER:

*Your Committee on Courts and Criminal Code, to which was referred House Bill 1290, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, line 5, after "if" delete ":".
- 2 Page 1, line 6, delete "(1)".
- 3 Page 1, run in lines 5 through 6.
- 4 Page 1, line 8, delete "; and" and insert ".".
- 5 Page 1, delete lines 9 through 10.
- 6 Page 1, line 14, reset in roman "five (5)" and delete "ten (10)".
- 7 Page 2, line 6, delete "only".
- 8 Page 2, line 7, delete "under" and insert "**that the person be**
- 9 **imprisoned for at least ten (10) days**".
- 10 Page 2, line 8, delete "subdivision (1)(A)".
- 11 Page 2, line 12, delete "In" and insert "**Except as provided in**
- 12 **subsection (d), in**".
- 13 Page 2, line 24, reset in roman "at least".
- 14 Page 2, line 24, delete "exactly".
- 15 Page 2, line 25, delete "However, the court shall issue an order".

1           Page 2, delete lines 26 through 40, begin a new paragraph and  
2 insert:

3           **"(d) In addition to any criminal penalty imposed for an offense**  
4 **under this chapter, if a child who is less than sixteen (16) years of**  
5 **age was a passenger in the vehicle at the time the person committed**  
6 **the offense under this chapter, the court shall order:**

7           **(1) that the person be imprisoned for at least:**  
8               **(A) thirty (30) days if the person has two (2) and not more**  
9               **than two (2) previous convictions of operating while**  
10              **intoxicated; and**  
11              **(B) ninety (90) days if the person has at least three (3)**  
12              **previous convictions of operating while intoxicated; and**  
13           **(2) that the person receive an assessment of the person's**  
14 **degree of alcohol and drug abuse and, if appropriate,**  
15 **successfully complete an alcohol or drug abuse treatment**  
16 **program, including an alcohol deterrent program if the**  
17 **person suffers from alcohol abuse."**

(Reference is to HB 1290 as introduced.)

**and when so amended that said bill do pass.**

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Representative Dvorak