

House Finance, Ways and Means Amendment #1

AMENDMENT NO. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

<b>FILED</b>
Date _____
Time _____
Clerk _____
Comm. Amdt. _____
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**AMEND Senate Bill No. 0454**

**House Bill No. 0499**

by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-10-403, is amended by adding the following language as new, appropriately designated subsections:

( ) Notwithstanding the provisions of subsection (a), a person violating Tennessee Code Annotated, Section 55-10-401, who, at the time of such offense, had fifteen-hundredths of one percent (.15%), or more, by weight of alcohol in such person's blood shall be punished as follows:

(1) For the first offense such person shall be:

(A) fined not less than three hundred eight-five dollars (\$385) nor more than one thousand six hundred fifty dollars (\$1,650);

(B) confined in the county jail or workhouse for not less than ninety-six (96) hours nor more than eleven (11) months and twenty-nine (29) days; and

(C) prohibited from driving a motor vehicle in the state of Tennessee for a period of one (1) year.

(2) For the second offense such person shall be:

(A) fined not less than six hundred sixty dollars (\$660) nor more than three thousand eight hundred fifty dollars (\$3,850);

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(B) confined in the county jail or workhouse for not less than sixty (60) days nor more than eleven (11) months and twenty-nine (29) days; and

(C) prohibited from driving a vehicle in the state of Tennessee for a period of two (2) years.

(3) For the third or subsequent offense such person shall be:

(A) fined not less than one thousand two hundred dollars (\$1,210) nor more than eleven thousand dollars (\$11,000);

(B) confined in the county jail or workhouse for not less than one hundred sixty (160) days nor more than eleven (11) months and twenty-nine (29) days; and

(C) prohibited from driving a vehicle in the state of Tennessee for a period of not less than three (3) years nor more than ten (10) years.

The provisions of subsection (a)(1) relative to court-ordered inpatient alcohol and drug treatment for second offenders, subsection (a)(1) authorizing litter removal after service of the minimum sentence, and subsections (b)-(o) of this section shall also apply to a person sentenced under this subsection.

( ) Notwithstanding the provisions of subsection (a), a person violating Section 55-10-401, at a time when his or her driver license was suspended or revoked because of a prior violation of Section 55-10-401, shall be punished by a ten (10) day period of confinement in the

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county jail or workhouse which shall be imposed in addition to the period of confinement otherwise required pursuant to this section.

SECTION 2. This act shall take effect July 1, 1995, the public welfare requiring it.