

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

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1 Committee/Subcommittee hearing PCB: Economic Affairs Committee  
2 Representative Ray offered the following:

**Amendment (with directory and title amendments)**

5 Between lines 421 and 422, insert:

6 (j)1. Notwithstanding the provisions of ss. 316.1937 and  
7 322.2715 and this section relating to ignition interlock devices  
8 required for second or subsequent offenders, in order to  
9 strengthen the pretrial and posttrial options available to  
10 prosecutors and judges, the court may order, if deemed  
11 appropriate, that a person participate in a qualified sobriety  
12 and drug monitoring program that meets the minimum standards as  
13 defined in subparagraph 2. in lieu of the ignition interlock  
14 device requirement. Participation shall be at the person's sole  
15 expense.

16 2. A "qualified sobriety and drug monitoring program" is  
17 an evidence-based program in which participants are regularly

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18 tested for alcohol and drug use. As the court deems appropriate,  
19 the program may monitor alcohol or drugs through one or more of  
20 the following modalities: breath testing twice a day; continuous  
21 transdermal alcohol monitoring in cases of hardship; or random  
22 blood, breath, urine, or oral fluid testing. Testing modalities  
23 that provide the best ability to sanction a violation as close  
24 in time as reasonably feasible to the occurrence of the  
25 violation should be given preference. Nothing in this paragraph  
26 precludes a court from ordering an ignition interlock device as  
27 a testing modality.

28 3. For purposes of this section, "evidence-based program"  
29 means a program that satisfies two of the following categories:

30 a. the program is included in the federal registry of  
31 evidence-based programs and practices;

32 b. The program has been reported in a peer-reviewed  
33 journal as having positive effects on the primary targeted  
34 outcome; or

35 c. The program has been documented as effective by  
36 informed experts and other sources.

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**D I R E C T O R Y A M E N D M E N T**

Remove lines 400-401 and insert:

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43 of subsection (6) are redesignated as paragraphs (k), (l), and  
44 (m), respectively, and new paragraphs (i) and (j) are added to  
45 that

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**T I T L E A M E N D M E N T**

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Between lines 28 and 29, insert:

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authorizing the court to order sobriety and drug

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monitoring in lieu of specified ignition interlock

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device requirements;

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