

SECOND REGULAR SESSION

# HOUSE BILL NO. 1593

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE LIPKE.

Read 1st time January 10, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal section 306.112, RSMo, and to enact in lieu thereof one new section relating to the operation of a vessel with excessive blood alcohol content, with penalty provisions.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 306.112, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 306.112, to read as follows:

306.112. 1. A person commits the crime of operating a vessel with excessive blood alcohol content if such person operates a vessel on the Mississippi River, Missouri River or the lakes of this state with [ten-hundredths] **eight-hundredths** of one percent or more by weight of alcohol in such person's blood.

2. As used in this section, percent by weight of alcohol in the blood shall be based upon grams of alcohol per one hundred milliliters of blood and may be shown by chemical analysis of the person's blood, breath, urine, or saliva.

3. Any person convicted of operating a vessel with excessive blood alcohol content is guilty of a class B misdemeanor upon conviction for the first violation, guilty of a class A misdemeanor upon conviction for the second violation, and guilty of a class D felony for conviction for the third and subsequent violations.

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EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.