

SECOND REGULAR SESSION

# HOUSE BILL NO. 2373

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES HARRIS (23) (Sponsor) AND ROORDA (Co-sponsor).

Read 1st time March 6, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To amend chapter 577, RSMo, by adding thereto one new section relating to enhanced penalties for high 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. Chapter 577, RSMo, is amended by adding thereto one new section, to be known as section 577.024, to read as follows:

**577.024. When a person is convicted of an intoxication-related traffic offense the following penalties apply when the person's blood, breath, or urine was sixteen-hundredths of one percent or more based on the definition of blood, breath, saliva, or urine units in section 577.012:**

(1) A person who is convicted of an intoxication-related traffic offense a first time, in addition to any other penalty that may be imposed, is subject to a mandatory minimum of one hundred hours of community service and a minimum fine of five hundred dollars;

(2) A person who is convicted of an intoxication-related traffic offense a second time within a ten-year period, in addition to any other penalty that may be imposed, is subject to a mandatory minimum of two days of imprisonment and a minimum fine of one thousand two hundred fifty dollars;

(3) A person who is convicted of an intoxication-related traffic offense a third time within a twenty-year period is guilty of a Class B felony and, in addition to any other penalty that may be imposed, is subject to a mandatory minimum of ninety days of imprisonment and a minimum fine of two thousand five hundred dollars;

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.

16           **(4) A person who is convicted of an intoxication-related traffic offense a fourth or**  
17 **subsequent time, in addition to any other penalty that may be imposed, is not eligible for**  
18 **a sentence of probation or condition discharge and is subject to a minimum fine of two**  
19 **thousand five hundred dollars.**

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