

Hall of the House of Representatives

92nd General Assembly - Regular Session, 2019

Amendment Form

Subtitle of House Bill No. 1280

CONCERNING THE OFFENSE OF PUBLIC INTOXICATION.

Amendment No. 1 to House Bill 1280

Amend House Bill No. 1280 as originally introduced:

Page 2, delete lines 8 through 12, and substitute the following:

"(b)(1) Public intoxication is a Class C misdemeanor.

(2)(A) Public intoxication is an unclassified misdemeanor if the person has been convicted of public intoxication two (2) or more times within five (5) years of the date of the current offense.

(B) If convicted of the unclassified misdemeanor of public intoxication for a third or subsequent offense of public intoxication occurring within a five (5) year period, in addition to a fine of no more than five hundred dollars (\$500), the person may be sentenced to:

(i) Probation not to exceed one (1) year, with a condition that the defendant enroll in a program of treatment or counseling for alcohol abuse or alcohol dependency;

(ii) A term not to exceed thirty (30) days in a county jail, with an additional probationary period to include as a condition of probation that the defendant enroll in a program of treatment or counseling for alcohol abuse or alcohol dependency, with the total time of jail and probation not to exceed one (1) year; and

(iii) Provided that with regard to any revocation of probation under (b)(2)(i) or (ii), that any jail sentence imposed for revocation of probation not exceed thirty (30) days in the county jail."

