

Moved by Andrus

Seconded by Erpelding

IN THE HOUSE OF REPRESENTATIVES
HOUSE AMENDMENT TO H.B. NO. 111

AMENDMENT TO SECTION 2

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2 On page 2 of the printed bill, in line 41, delete "or second"; also in line
3 41, delete "third" and insert: "second".

AMENDMENT TO THE BILL

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5 On page 3, following line 2, insert:
6 "SECTION 3. That Section 25-3520A, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 25-3520A. PENALTY FOR VIOLATIONS -- TERMINATION OF RIGHTS. (1) Except
9 as otherwise provided in section 25-3503 or 25-3506, Idaho Code, any per-
10 son convicted for a first violation of any of the provisions of this chapter
11 shall be punished, for each offense, by a jail sentence of not more than six
12 (6) months or by a fine of not less than one hundred dollars (\$100) or more
13 than five thousand dollars (\$5,000), or by both such fine and imprisonment.

14 (2) Except as otherwise provided in section 25-3503 or 25-3506, Idaho
15 Code, any person convicted of a second violation of any of the provisions of
16 this chapter within ten (10) years of the first conviction, shall be punished
17 for each offense, by a jail sentence of not more than nine (9) months or a fine
18 of not less than two hundred dollars (\$200) or more than seven thousand dol-
19 lars (\$7,000) or both fine and imprisonment.

20 (3) (a) Except as otherwise provided in section 25-3503 or 25-3506,
21 Idaho Code, any person convicted of a third or subsequent violation of
22 any of the provisions of this chapter, except certain violations of sec-
23 tion 25-3504, Idaho Code, as provided in paragraphs (b) and (c) of this
24 subsection, within fifteen (15) years of the first conviction, shall be
25 guilty of a misdemeanor and punished for each offense by a jail sentence
26 of not more than twelve (12) months or a fine of not less than five hun-
27 dred dollars (\$500) or more than nine thousand dollars (\$9,000) or by
28 both fine and imprisonment.

29 (b) Except as provided in section 25-3503, Idaho Code, any person con-
30 victed of a third or subsequent violation who previously has been found
31 guilty of or has pled guilty to two (2) violations of section 25-3504,
32 Idaho Code, provided the violations were for conduct as defined by sec-
33 tion 25-3502(5) (a), Idaho Code, within fifteen (15) years of the first
34 conviction, shall be guilty of a felony and punished for each offense by
35 a jail sentence of not more than twelve (12) months or a fine of not less
36 than five hundred dollars (\$500) or not more than nine thousand dollars
37 (\$9,000) or by both fine and imprisonment. All other violations of
38 section 25-3504, Idaho Code, for conduct as defined by any other para-
39 graphs, other than paragraph (a) of section 25-3502(5) or subsection

