ASSEMBLY AMENDMENT 2, TO 1999 ASSEMBLY BILL 174

October 28, 1999 – Offered by Representative Travis.

1	At the locations indicated, amend the bill as follows:
2	1. Page 2, line 1: delete that line and substitute:
3	"Section 1g. 167.31 (1) (am) of the statutes is created to read:
4	167.31 (1) (am) "Alcohol concentration" has the meaning given in s. 340.01 (1v).
5	Section 1h. 167.31 (1) (ft) of the statutes is created to read:
6	167.31 (1) (ft) "Under the influence of an intoxicant" means that the actor's
7	ability to handle a firearm is materially impaired because of his or her consumption
8	of a controlled substance, as defined under s. 961.01 (4), a controlled substance
9	analog, as defined in s. 961.01 (4m), or any other drug, as defined in s. 450.01 (10),
10	or because of his or her consumption of any combination of an alcohol beverage, a
11	controlled substance, a controlled substance analog or any other drug.

SECTION 1m. 167.31 (2) (d) of the statutes is amended to read:".

12

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

2. Page 2, line 10: after "roadway" insert "if, at the time that he or she places,
possesses, transports, loads or discharges the firearm, the peace officer does not have
an alcohol concentration of more than 0.0 and is not under the influence of an
intoxicant".

- **3.** Page 2, line 19: delete that line and substitute "discharges a firearm from a vehicle if, at the time that he or she discharges the firearm, the peace officer does not have an alcohol concentration of more than 0.0 and is not under the influence of an intoxicant, as defined in s. 167.31 (1) (ft).".
 - **4.** Page 3, line 3: delete lines 3 to 5 and substitute:
- "941.235 **(2)** (intro.) This section <u>Subsection (1)</u> does not apply to peace officers or armed any of the following:".
 - **5.** Page 3, line 10: after that line insert:
- "Section 7d. 941.235 (2) (a) of the statutes is created to read:
 - 941.235 **(2)** (a) A peace officer if, at the time that he or she goes armed with the firearm, the peace officer does not have an alcohol concentration of more than 0.0 and is not under the influence of an intoxicant, as defined in s. 167.31 (1) (ft).".

17 (END)