

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Bill No. 1209, Page 1, Section 478.007, Line 13, by inserting immediately after the  
2 word "monitoring," the following phrase "as defined in section 577.001,"; and

3  
4 Further amend said bill and section, page 2, Line 28, by inserting immediately after said section and  
5 line the following:

6  
7 "577.001. As used in this chapter, the following terms mean:

8 (1) "Aggravated offender", a person who has been found guilty of:

9 (a) Three or more intoxication-related traffic offenses committed on separate occasions; or

10 (b) Two or more intoxication-related traffic offenses committed on separate occasions where  
11 at least one of the intoxication-related traffic offenses is an offense committed in violation of any  
12 state law, county or municipal ordinance, any federal offense, or any military offense in which the  
13 defendant was operating a vehicle while intoxicated and another person was injured or killed;

14 (2) "Aggravated boating offender", a person who has been found guilty of:

15 (a) Three or more intoxication-related boating offenses; or

16 (b) Has been found guilty of one or more intoxication-related boating offenses committed on  
17 separate occasions where at least one of the intoxication-related traffic offenses is an offense  
18 committed in violation of any state law, county or municipal ordinance, any federal offense, or any  
19 military offense in which the defendant was operating a vessel while intoxicated and another person  
20 was injured or killed;

21 (3) "All-terrain vehicle", any motorized vehicle manufactured and used exclusively for  
22 off-highway use which is fifty inches or less in width, with an unladen dry weight of one thousand  
23 pounds or less, traveling on three, four or more low pressure tires, with a seat designed to be  
24 straddled by the operator, or with a seat designed to carry more than one person, and handlebars for  
25 steering control;

26 (4) "Court", any circuit, associate circuit, or municipal court, including traffic court, but not  
27 any juvenile court or drug court;

28 (5) "Chronic offender", a person who has been found guilty of:

29 (a) Four or more intoxication-related traffic offenses committed on separate occasions; or

30 (b) Three or more intoxication-related traffic offenses committed on separate occasions  
31 where at least one of the intoxication-related traffic offenses is an offense committed in violation of  
32 any state law, county or municipal ordinance, any federal offense, or any military offense in which  
33 the defendant was operating a vehicle while intoxicated and another person was injured or killed; or

34 (c) Two or more intoxication-related traffic offenses committed on separate occasions where  
35 both intoxication-related traffic offenses were offenses committed in violation of any state law,  
36 county or municipal ordinance, any federal offense, or any military offense in which the defendant

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1 was operating a vehicle while intoxicated and another person was injured or killed;

2 (6) "Chronic boating offender", a person who has been found guilty of:

3 (a) Four or more intoxication-related boating offenses; or

4 (b) Three or more intoxication-related boating offenses committed on separate occasions  
5 where at least one of the intoxication-related boating offenses is an offense committed in violation of  
6 any state law, county or municipal ordinance, any federal offense, or any military offense in which  
7 the defendant was operating a vessel while intoxicated and another person was injured or killed; or

8 (c) Two or more intoxication-related boating offenses committed on separate occasions  
9 where both intoxication-related boating offenses were offenses committed in violation of any state  
10 law, county or municipal ordinance, any federal offense, or any military offense in which the  
11 defendant was operating a vessel while intoxicated and another person was injured or killed;

12 (7) "Continuous alcohol monitoring", automatically testing breath, blood, or transdermal  
13 alcohol concentration levels and tampering attempts at least once every hour, regardless of the  
14 location of the person who is being monitored, and regularly transmitting the data. Continuous  
15 alcohol monitoring shall be considered an electronic monitoring service under subsection 3 of  
16 section 217.690.

17 (8) "Controlled substance", a drug, substance, or immediate precursor in schedules I to V  
18 listed in section 195.017;

19 [(8)] (9) "Drive", "driving", "operates" or "operating", means physically driving or operating  
20 a vehicle or vessel;

21 [(9)] (10) "Flight crew member", the pilot in command, copilots, flight engineers, and flight  
22 navigators;

23 [(10)] (11) "Habitual offender", a person who has been found guilty of:

24 (a) Five or more intoxication-related traffic offenses committed on separate occasions; or

25 (b) Four or more intoxication-related traffic offenses committed on separate occasions where  
26 at least one of the intoxication-related traffic offenses is an offense committed in violation of any  
27 state law, county or municipal ordinance, any federal offense, or any military offense in which the  
28 defendant was operating a vehicle while intoxicated and another person was injured or killed; or

29 (c) Three or more intoxication-related traffic offenses committed on separate occasions  
30 where at least two of the intoxication-related traffic offenses were offenses committed in violation of  
31 any state law, county or municipal ordinance, any federal offense, or any military offense in which  
32 the defendant was operating a vehicle while intoxicated and another person was injured or killed; or

33 (d) While driving while intoxicated, the defendant acted with criminal negligence to:

34 a. Cause the death of any person not a passenger in the vehicle operated by the defendant,  
35 including the death of an individual that results from the defendant's vehicle leaving a highway, as  
36 defined by section 301.010, or the highway's right-of-way; or

37 b. Cause the death of two or more persons; or

38 c. Cause the death of any person while he or she has a blood alcohol content of at least  
39 eighteen-hundredths of one percent by weight of alcohol in such person's blood;

40 [(11)] (12) "Habitual boating offender", a person who has been found guilty of:

41 (a) Five or more intoxication-related boating offenses; or

42 (b) Four or more intoxication-related boating offenses committed on separate occasions  
43 where at least one of the intoxication-related boating offenses is an offense committed in violation of  
44 any state law, county or municipal ordinance, any federal offense, or any military offense in which  
45 the defendant was operating a vessel while intoxicated and another person was injured or killed; or

46 (c) Three or more intoxication-related boating offenses committed on separate occasions  
47 where at least two of the intoxication-related boating offenses were offenses committed in violation  
48 of any state law, county or municipal ordinance, any federal offense, or any military offense in which

1 the defendant was operating a vessel while intoxicated and another person was injured or killed; or

2 (d) While boating while intoxicated, the defendant acted with criminal negligence to:

3 a. Cause the death of any person not a passenger in the vessel operated by the defendant,  
4 including the death of an individual that results from the defendant's vessel leaving the water; or

5 b. Cause the death of two or more persons; or

6 c. Cause the death of any person while he or she has a blood alcohol content of at least  
7 eighteen-hundredths of one percent by weight of alcohol in such person's blood;

8 [(12)] (13) "Intoxicated" or "intoxicated condition", when a person is under the influence of  
9 alcohol, a controlled substance, or drug, or any combination thereof;

10 [(13)] (14) "Intoxication-related boating offense", operating a vessel while intoxicated;  
11 boating while intoxicated; operating a vessel with excessive blood alcohol content or an offense in  
12 which the defendant was operating a vessel while intoxicated and another person was injured or  
13 killed in violation of any state law, county or municipal ordinance, any federal offense, or any  
14 military offense;

15 [(14)] (15) "Intoxication-related traffic offense", driving while intoxicated, driving with  
16 excessive blood alcohol content or an offense in which the defendant was operating a vehicle while  
17 intoxicated and another person was injured or killed in violation of any state law, county or  
18 municipal ordinance, any federal offense, or any military offense;

19 [(15)] (16) "Law enforcement officer" or "arresting officer", includes the definition of law  
20 enforcement officer in section 556.061 and military policemen conducting traffic enforcement  
21 operations on a federal military installation under military jurisdiction in the state of Missouri;

22 [(16)] (17) "Operate a vessel", to physically control the movement of a vessel in motion  
23 under mechanical or sail power in water;

24 [(17)] (18) "Persistent offender", a person who has been found guilty of two or more  
25 intoxication-related traffic offenses committed on separate occasions;

26 [(18)] (19) "Persistent boating offender", a person who has been found guilty of two or more  
27 intoxication-related boating offenses committed on separate occasions;

28 [(19)] (20) "Prior offender", a person who has been found guilty of one intoxication-related  
29 traffic offense, where such prior offense occurred within five years of the occurrence of the  
30 intoxication-related traffic offense for which the person is charged;

31 [(20)] (21) "Prior boating offender", a person who has been found guilty of one  
32 intoxication-related boating offense, where such prior offense occurred within five years of the  
33 occurrence of the intoxication-related boating offense for which the person is charged.

34 577.010. 1. A person commits the offense of driving while intoxicated if he or she operates a vehicle  
35 while in an intoxicated condition.

36 2. The offense of driving while intoxicated is:

37 (1) A class B misdemeanor;

38 (2) A class A misdemeanor if:

39 (a) The defendant is a prior offender; or

40 (b) A person less than seventeen years of age is present in the vehicle;

41 (3) A class E felony if:

42 (a) The defendant is a persistent offender; or

43 (b) While driving while intoxicated, the defendant acts with criminal negligence to cause  
44 physical injury to another person;

45 (4) A class D felony if:

46 (a) The defendant is an aggravated offender;

47 (b) While driving while intoxicated, the defendant acts with criminal negligence to cause  
48 physical injury to a law enforcement officer or emergency personnel; or

1 (c) While driving while intoxicated, the defendant acts with criminal negligence to cause  
2 serious physical injury to another person;

3 (5) A class C felony if:

4 (a) The defendant is a chronic offender;

5 (b) While driving while intoxicated, the defendant acts with criminal negligence to cause  
6 serious physical injury to a law enforcement officer or emergency personnel; or

7 (c) While driving while intoxicated, the defendant acts with criminal negligence to cause the  
8 death of another person;

9 (6) A class B felony if:

10 (a) The defendant is a habitual offender; or

11 (b) While driving while intoxicated, the defendant acts with criminal negligence to cause the  
12 death of a law enforcement officer or emergency personnel;

13 (7) A class A felony if the defendant is a habitual offender as a result of being found guilty of  
14 an act described under paragraph (d) of subdivision (10) of section 577.001 and is found guilty of a  
15 subsequent violation of such paragraph.

16 3. Notwithstanding the provisions of subsection 2 of this section, a person found guilty of the  
17 offense of driving while intoxicated as a first offense shall not be granted a suspended imposition of  
18 sentence:

19 (1) Unless such person shall be placed on probation for a minimum of two years; or

20 (2) In a circuit where a DWI court or docket created under section 478.007 or other  
21 court-ordered treatment program is available, and where the offense was committed with  
22 fifteen-hundredths of one percent or more by weight of alcohol in such person's blood, unless the  
23 individual participates and successfully completes a program under such DWI court or docket or  
24 other court-ordered treatment program.

25 4. In cases where a person found guilty of the offense of driving while intoxicated as a second  
26 offense, the court may order the person to submit to a period of continuous alcohol monitoring as a  
27 condition of probation.

28 5. If a person is not granted a suspended imposition of sentence for the reasons described in  
29 subsection 3 of this section:

30 (1) If the individual operated the vehicle with fifteen-hundredths to twenty-hundredths of one  
31 percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not  
32 less than forty-eight hours;

33 (2) If the individual operated the vehicle with greater than twenty-hundredths of one percent  
34 by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than  
35 five days.

36 [5.] 6. A person found guilty of the offense of driving while intoxicated:

37 (1) As a prior offender, persistent offender, aggravated offender, chronic offender, or habitual  
38 offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu  
39 of a term of imprisonment, section 557.011 to the contrary notwithstanding;

40 (2) As a prior offender shall not be granted parole or probation until he or she has served a  
41 minimum of ten days imprisonment:

42 (a) Unless as a condition of such parole or probation such person performs at least thirty days  
43 of community service under the supervision of the court in those jurisdictions which have a  
44 recognized program for community service; or

45 (b) The offender participates in and successfully completes a program established under  
46 section 478.007 or other court-ordered treatment program, if available, and as part of either program,  
47 the offender performs at least thirty days of community service under the supervision of the court;

48 (3) As a persistent offender shall not be eligible for parole or probation until he or she has

1 served a minimum of thirty days imprisonment:

2 (a) Unless as a condition of such parole or probation such person performs at least sixty days  
3 of community service under the supervision of the court in those jurisdictions which have a  
4 recognized program for community service; or

5 (b) The offender participates in and successfully completes a program established under  
6 section 478.007 or other court-ordered treatment program, if available, and as part of either program,  
7 the offender performs at least sixty days of community service under the supervision of the court;

8 (4) As an aggravated offender shall not be eligible for parole or probation until he or she has  
9 served a minimum of sixty days imprisonment;

10 (5) As a chronic offender shall not be eligible for parole or probation until he or she has  
11 served a minimum of two years imprisonment[.]; and

12 (6) Any probation or parole granted under this subsection may include a period of continuous  
13 alcohol monitoring.

14 577.012. 1. A person commits the offense of driving with excessive blood alcohol content if  
15 such person operates:

16 (1) A vehicle while having eight-hundredths of one percent or more by weight of alcohol in  
17 his or her blood; or

18 (2) A commercial motor vehicle while having four one-hundredths of one percent or more by  
19 weight of alcohol in his or her blood.

20 2. As used in this section, percent by weight of alcohol in the blood shall be based upon  
21 grams of alcohol per one hundred milliliters of blood or two hundred ten liters of breath and may be  
22 shown by chemical analysis of the person's blood, breath, saliva or urine. For the purposes of  
23 determining the alcoholic content of a person's blood under this section, the test shall be conducted in  
24 accordance with the provisions of sections 577.020 to 577.041.

25 3. The offense of driving with excessive blood alcohol content is:

26 (1) A class B misdemeanor;

27 (2) A class A misdemeanor if the defendant is alleged and proved to be a prior offender;

28 (3) A class E felony if the defendant is alleged and proved to be a persistent offender;

29 (4) A class D felony if the defendant is alleged and proved to be an aggravated offender;

30 (5) A class C felony if the defendant is alleged and proved to be a chronic offender;

31 (6) A class B felony if the defendant is alleged and proved to be a habitual offender.

32 4. A person found guilty of the offense of driving with an excessive blood alcohol content as  
33 a first offense shall not be granted a suspended imposition of sentence:

34 (1) Unless such person shall be placed on probation for a minimum of two years; or

35 (2) In a circuit where a DWI court or docket created under section 478.007 or other  
36 court-ordered treatment program is available, and where the offense was committed with  
37 fifteen-hundredths of one percent or more by weight of alcohol in such person's blood, unless the  
38 individual participates in and successfully completes a program under such DWI court or docket or  
39 other court-ordered treatment program.

40 5. If a person is not granted a suspended imposition of sentence for the reasons described in  
41 subsection 4 of this section:

42 (1) If the individual operated the vehicle with fifteen-hundredths to twenty-hundredths of one  
43 percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not  
44 less than forty-eight hours;

45 (2) If the individual operated the vehicle with greater than twenty-hundredths of one percent  
46 by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than  
47 five days.

48 6. In cases where a person is found guilty of the offense of driving with an excessive blood

1 alcohol content as a second offense, the court may order the person to submit to a period of  
 2 continuous alcohol monitoring as a condition of probation.

3 7. A person found guilty of driving with excessive blood alcohol content:

4 (1) As a prior offender, persistent offender, aggravated offender, chronic offender or habitual  
 5 offender shall not be granted a suspended imposition of sentence or be sentenced to pay a fine in lieu  
 6 of a term of imprisonment, section 557.011 to the contrary notwithstanding;

7 (2) As a prior offender shall not be granted parole or probation until he or she has served a  
 8 minimum of ten days imprisonment:

9 (a) Unless as a condition of such parole or probation such person performs at least thirty days  
 10 of community service under the supervision of the court in those jurisdictions which have a  
 11 recognized program for community service; or

12 (b) The offender participates in and successfully completes a program established under  
 13 section 478.007 or other court-ordered treatment program, if available, and as part of either program,  
 14 the offender performs at least thirty days of community service under the supervision of the court;

15 (3) As a persistent offender shall not be granted parole or probation until he or she has served  
 16 a minimum of thirty days imprisonment:

17 (a) Unless as a condition of such parole or probation such person performs at least sixty days  
 18 of community service under the supervision of the court in those jurisdictions which have a  
 19 recognized program for community service; or

20 (b) The offender participates in and successfully completes a program established under  
 21 section 478.007 or other court-ordered treatment program, if available, and as part of either program,  
 22 the offender performs at least sixty days of community service under the supervision of the court;

23 (4) As an aggravated offender shall not be eligible for parole or probation until he or she has  
 24 served a minimum of sixty days imprisonment;

25 (5) As a chronic offender shall not be eligible for parole or probation until he or she has  
 26 served a minimum of two years imprisonment.

27 (6) Any probation or parole granted under this subsection may include a period of continuous  
 28 alcohol monitoring.

29 577.013. 1. A person commits the offense of boating while intoxicated if he or she operates a  
 30 vessel while in an intoxicated condition.

31 2. The offense of boating while intoxicated is:

32 (1) A class B misdemeanor;

33 (2) A class A misdemeanor if:

34 (a) The defendant is a prior boating offender; or

35 (b) A person less than seventeen years of age is present in the vessel;

36 (3) A class E felony if:

37 (a) The defendant is a persistent boating offender; or

38 (b) While boating while intoxicated, the defendant acts with criminal negligence to cause  
 39 physical injury to another person;

40 (4) A class D felony if:

41 (a) The defendant is an aggravated boating offender;

42 (b) While boating while intoxicated, the defendant acts with criminal negligence to cause  
 43 physical injury to a law enforcement officer or emergency personnel; or

44 (c) While boating while intoxicated, the defendant acts with criminal negligence to cause  
 45 serious physical injury to another person;

46 (5) A class C felony if:

47 (a) The defendant is a chronic boating offender;

48 (b) While boating while intoxicated, the defendant acts with criminal negligence to cause

1 serious physical injury to a law enforcement officer or emergency personnel; or

2 (c) While boating while intoxicated, the defendant acts with criminal negligence to cause the  
3 death of another person;

4 (6) A class B felony if:

5 (a) The defendant is a habitual boating offender; or

6 (b) While boating while intoxicated, the defendant acts with criminal negligence to cause the  
7 death of a law enforcement officer or emergency personnel;

8 (7) A class A felony if the defendant is a habitual offender as a result of being found guilty of  
9 an act described under paragraph (d) of subdivision (11) of section 577.001 and is found guilty of a  
10 subsequent violation of such paragraph.

11 3. Notwithstanding the provisions of subsection 2 of this section, a person found guilty of the  
12 offense of boating while intoxicated as a first offense shall not be granted a suspended imposition of  
13 sentence:

14 (1) Unless such person shall be placed on probation for a minimum of two years; or

15 (2) In a circuit where a DWI court or docket created under section 478.007 or other  
16 court-ordered treatment program is available, and where the offense was committed with  
17 fifteen-hundredths of one percent or more by weight of alcohol in such person's blood, unless the  
18 individual participates in and successfully completes a program under such DWI court or docket or  
19 other court-ordered treatment program.

20 4. In cases where a person is found guilty of the offense of boating while intoxicated as a  
21 second offense, the court may order the person to submit to a period of continuous alcohol  
22 monitoring as a condition of probation.

23 5. If a person is not granted a suspended imposition of sentence for the reasons described in  
24 subsection 3 of this section:

25 (1) If the individual operated the vessel with fifteen-hundredths to twenty-hundredths of one  
26 percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not  
27 less than forty-eight hours;

28 (2) If the individual operated the vessel with greater than twenty-hundredths of one percent  
29 by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than  
30 five days.

31 [5.] 6. A person found guilty of the offense of boating while intoxicated:

32 (1) As a prior boating offender, persistent boating offender, aggravated boating offender,  
33 chronic boating offender or habitual boating offender shall not be granted a suspended imposition of  
34 sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the  
35 contrary notwithstanding;

36 (2) As a prior boating offender shall not be granted parole or probation until he or she has  
37 served a minimum of ten days imprisonment:

38 (a) Unless as a condition of such parole or probation such person performs at least two  
39 hundred forty hours of community service under the supervision of the court in those jurisdictions  
40 which have a recognized program for community service; or

41 (b) The offender participates in and successfully completes a program established under  
42 section 478.007 or other court-ordered treatment program, if available;

43 (3) As a persistent offender shall not be eligible for parole or probation until he or she has  
44 served a minimum of thirty days imprisonment:

45 (a) Unless as a condition of such parole or probation such person performs at least four  
46 hundred eighty hours of community service under the supervision of the court in those jurisdictions  
47 which have a recognized program for community service; or

48 (b) The offender participates in and successfully completes a program established under

1 section 478.007 or other court-ordered treatment program, if available;

2 (4) As an aggravated boating offender shall not be eligible for parole or probation until he or  
3 she has served a minimum of sixty days imprisonment;

4 (5) As a chronic boating offender shall not be eligible for parole or probation until he or she  
5 has served a minimum of two years imprisonment.

6 (6) Any probation or parole granted under this subsection may include a period of continuous  
7 alcohol monitoring.

8 577.014. 1. A person commits the offense of boating with excessive blood alcohol content if  
9 he or she operates a vessel while having eight-hundredths of one percent or more by weight of  
10 alcohol in his or her blood.

11 2. As used in this section, percent by weight of alcohol in the blood shall be based upon  
12 grams of alcohol per one hundred milliliters of blood or two hundred ten liters of breath and may be  
13 shown by chemical analysis of the person's blood, breath, saliva or urine. For the purposes of  
14 determining the alcoholic content of a person's blood under this section, the test shall be conducted in  
15 accordance with the provisions of sections 577.020 to 577.041.

16 3. The offense of boating with excessive blood alcohol content is:

17 (1) A class B misdemeanor;

18 (2) A class A misdemeanor if the defendant is alleged and proved to be a prior boating  
19 offender;

20 (3) A class E felony if the defendant is alleged and proved to be a persistent boating offender;

21 (4) A class D felony if the defendant is alleged and proved to be an aggravated boating  
22 offender;

23 (5) A class C felony if the defendant is alleged and proved to be a chronic boating offender;

24 (6) A class B felony if the defendant is alleged and proved to be a habitual boating offender.

25 4. A person found guilty of the offense of boating with excessive blood alcohol content as a  
26 first offense shall not be granted a suspended imposition of sentence:

27 (1) Unless such person shall be placed on probation for a minimum of two years; or

28 (2) In a circuit where a DWI court or docket created under section 478.007 or other  
29 court-ordered treatment program is available, and where the offense was committed with  
30 fifteen-hundredths of one percent or more by weight of alcohol in such person's blood unless the  
31 individual participates in and successfully completes a program under such DWI court or docket or  
32 other court-ordered treatment program.

33 5. When a person is not granted a suspended imposition of sentence for the reasons described  
34 in subsection 4 of this section:

35 (1) If the individual operated the vessel with fifteen-hundredths to twenty-hundredths of one  
36 percent by weight of alcohol in such person's blood, the required term of imprisonment shall be not  
37 less than forty-eight hours;

38 (2) If the individual operated the vessel with greater than twenty-hundredths of one percent  
39 by weight of alcohol in such person's blood, the required term of imprisonment shall be not less than  
40 five days.

41 6. In cases where a person is found guilty of the offense of boating with an excessive blood  
42 alcohol content as a second offense, the court may order the person to submit to a period of  
43 continuous alcohol monitoring as a condition of probation.

44 7. A person found guilty of the offense of boating with excessive blood alcohol content:

45 (1) As a prior boating offender, persistent boating offender, aggravated boating offender,  
46 chronic boating offender or habitual boating offender shall not be granted a suspended imposition of  
47 sentence or be sentenced to pay a fine in lieu of a term of imprisonment, section 557.011 to the  
48 contrary notwithstanding;



1 (2) As a prior boating offender, shall not be granted parole or probation until he or she has  
2 served a minimum of ten days imprisonment:

3 (a) Unless as a condition of such parole or probation such person performs at least two  
4 hundred forty hours of community service under the supervision of the court in those jurisdictions  
5 which have a recognized program for community service; or

6 (b) The offender participates in and successfully completes a program established under  
7 section 478.007 or other court-ordered treatment program, if available;

8 (3) As a persistent boating offender, shall not be granted parole or probation until he or she  
9 has served a minimum of thirty days imprisonment:

10 (a) Unless as a condition of such parole or probation such person performs at least four  
11 hundred eighty hours of community service under the supervision of the court in those jurisdictions  
12 which have a recognized program for community service; or

13 (b) The offender participates in and successfully completes a program established under  
14 section 478.007 or other court-ordered treatment program, if available;

15 (4) As an aggravated boating offender, shall not be eligible for parole or probation until he or  
16 she has served a minimum of sixty days imprisonment;

17 (5) As a chronic boating offender, shall not be eligible for parole or probation until he or she  
18 has served a minimum of two years imprisonment.

19 (6) Any probation or parole granted under this subsection may include a period of continuous  
20 alcohol monitoring."; and

21  
22 Further amend said bill by amending the title, enacting clause, and intersectional references  
23 accordingly.  
24