

**1st Sub. H.B. 47**  
**DUI REVISIONS**

Senator **Todd D. Weiler** proposes the following amendments:

1. *Page 4, Lines 87 through 91:*

87 (d) Witness or victim testimony is not required at ~~{the}~~ a hearing on ~~{the}~~ a motion  
to detain if:

(i) the defendant is charged with driving under the influence or driving with a measurable  
controlled substance in the body; and

(ii) an appearance by the victim would present an undue burden upon the victim .

88 (e) Notwithstanding any other provisions of this section, there is a rebuttable

89 presumption that an individual ~~{arrested for or charged with the offense of driving under the~~

90 ~~influence is a substantial danger to the community as long as the individual has a blood or~~

91 ~~breath alcohol concentration of .05 grams or greater.}~~ is a substantial danger to the community:

(i) as long as the individual has a blood or breath alcohol concentration of .05 grams or greater if  
the individual is arrested for or charged with the offense of driving under the influence and the offense  
resulted in death or serious bodily injury to an individual; or

(ii) if the individual has a measurable amount of controlled substance in the individual's body, the  
individual is arrested for or charged with the offense of driving with a measurable controlled substance  
in the body, and the offense resulted in death or serious bodily injury to an individual.