

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1459

Page 1, line 2, remove "; to amend and reenact subsection 1 of section 39-06-32 of"

Page 1, remove line 3

Page 1, line 4, remove "suspend driving privileges"

Page 1, replace lines 8 through 21 with:

**"Nonpayment for motor fuels - Penalty.**

1. For a theft offense in violation of chapter 12.1-23 which involves a person who leaves the premises of an establishment at which motor fuel is offered for retail sale after motor fuel was dispensed into the fuel tank of a motor vehicle that that person drove away without having made due payment or authorized charge for the motor fuel dispensed, the court may:
  - a. Upon a person's second conviction, order the suspension of the person's driving privileges for six months; and
  - b. Upon a person's third or subsequent conviction, order the suspension of the person's driving privileges for one year.
2. As used in this section, "conviction" means a final conviction without regard to whether sentence was suspended or deferred or probation was granted after the conviction. Forfeiture of bail, bond, or collateral deposited to secure a defendant's appearance in court, which forfeiture has not been vacated, is equivalent to conviction."

Page 1, remove lines 22 and 23

Page 2, remove lines 1 and 2

Renumber accordingly