A bill to be entitled
An act relating to driving or boating under the
influence; providing a short title; amending ss.
316.193 and 327.35, F.S.; providing that a person with
a specified amount of delta 9-tetrahydrocannabinol per
milliliter of blood commits the offense of driving
under the influence or boating under the influence,
respectively; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. This act may be cited as the "Naomi Pomerance
Victim Safety Act."

Section 2. Subsection (1) of section 316.193, Florida
Statutes, is amended to read:
316.193 Driving under the influence; penalties.—
(1) A person commits is guilty of the offense of driving
under the influence and is subject to punishment as provided in
subsection (2) if the person is driving or in actual physical
control of a vehicle within this state and:
(a) The person is under the influence of alcoholic
beverages, any chemical substance set forth in s. 877.111, or
any substance controlled under chapter 893, when affected to the
extent that the person's normal faculties are impaired;
(b) The person has a blood-alcohol level of 0.08 or more
grams of alcohol per 100 milliliters of blood; or
Section 3. Subsection (1) of section 327.35, Florida Statutes, is amended to read:

327.35  Boating under the influence; penalties; "designated drivers."

(1) A person commits is guilty of the offense of boating under the influence and is subject to punishment as provided in subsection (2) if the person is operating a vessel within this state and:

(a) The person is under the influence of alcoholic beverages, any chemical substance set forth in s. 877.111, or any substance controlled under chapter 893, when affected to the extent that the person's normal faculties are impaired;

(b) The person has a blood-alcohol level of 0.08 or more grams of alcohol per 100 milliliters of blood; or

(c) The person has a breath-alcohol level of 0.08 or more grams of alcohol per 210 liters of breath; or

(d) The person has a blood level of 5 nanograms or more of delta 9-tetrahydrocannabinol per milliliter of blood, as shown by analysis of the person's blood.

Section 4. This act shall take effect October 1, 2016.