

Committee on Criminal Justice

CS/CS/SB 1036 — Reclassification of Criminal Penalties

by Fiscal Policy Committee; Criminal Justice Committee; and Senator Ingoglia

The bill creates two new sections of law relating to the reclassification of criminal offenses under certain circumstances.

The bill creates s. 775.0848, F.S., reclassifying felony offenses to the next higher degree in cases when:

- A person has been previously convicted of a crime relating to reentry of removed aliens pursuant to 8 U.S.C. s. 1326; and
- That person commits a felony offense after the federal conviction relating to the reentry.

The bill also creates s. 908.12, F.S., providing for reclassifications of criminal offenses to the next higher degree when a defendant is convicted of committing a misdemeanor or felony for the purpose of benefiting, promoting, or furthering the interests of a transnational crime organization.

“Transnational crime organization” is defined by the bill as an organization that routinely facilitates the international trafficking of drugs, humans, or weapons or the international smuggling of humans.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect October 1, 2024.

Vote: Senate 32-0; House 83-30