

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

1 Committee/Subcommittee hearing bill: Judiciary Committee  
 2 Representative Combee offered the following:

**Amendment (with title amendment)**

5 Between lines 50 and 51, insert:

6 Section 2. Subsection (6) is added to section 775.087,  
 7 Florida Statutes, to read:

8 775.087 Possession or use of weapon; aggravated battery;  
 9 felony reclassification; minimum sentence.—

10 (6) Notwithstanding subsections (2) and (3), when  
 11 sentencing a defendant convicted of a violation of s. 784.021,  
 12 the court may sentence the defendant pursuant to s. 775.082, s.  
 13 775.083, or 775.084, if the court makes written findings that:

14 (a) The defendant did not act in furtherance of any other  
 15 forcible felony;

16 (b) The defendant committed the offense with the intent to  
 17 defend themself or others from bodily harm; and

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18 (c) A minimum mandatory sentence required under this  
19 section is not necessary to protect the public.

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**T I T L E A M E N D M E N T**

Remove line 4 and insert:

775.087, F.S.; authorizing a judge to deviate from a minimum  
mandatory sentence for aggravated assault if the court makes  
certain findings; amending s. 776.012, F.S.; applying provisions  
relating to the use