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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/21/2017	.	
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The Committee on Criminal Justice (Bracy) recommended the following:

Senate Amendment (with title amendment)

Between lines 470 and 471

insert:

Section 9. Paragraph (e) of subsection (1) of section 921.002, Florida Statutes, is amended to read:

921.002 The Criminal Punishment Code.—The Criminal Punishment Code shall apply to all felony offenses, except capital felonies, committed on or after October 1, 1998.

(1) The provision of criminal penalties and of limitations



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11 upon the application of such penalties is a matter of
12 predominantly substantive law and, as such, is a matter properly
13 addressed by the Legislature. The Legislature, in the exercise
14 of its authority and responsibility to establish sentencing
15 criteria, to provide for the imposition of criminal penalties,
16 and to make the best use of state prisons so that violent
17 criminal offenders are appropriately incarcerated, has
18 determined that it is in the best interest of the state to
19 develop, implement, and revise a sentencing policy. The Criminal
20 Punishment Code embodies the principles that:

21 (e) The sentence imposed by the sentencing judge reflects
22 the length of actual time to be served, shortened only by the
23 application of incentive and meritorious gain-time as provided
24 by law, and may not be shortened if the defendant would
25 consequently serve less than 85 percent of his or her term of
26 imprisonment as provided in s. 944.275(4)(b)3.; however, a
27 defendant who is 65 years of age or older may have his or her
28 sentence reduced by up to 50 percent as a result of a favorable
29 determination made by the Florida Commission on Offender Review
30 under a discretionary and revocable release program provided in
31 s. 947.148 or s. 947.149. The provisions of chapter 947,
32 relating to parole, shall not apply to persons sentenced under
33 the Criminal Punishment Code.

34 Section 10. Subsection (1) of section 945.6034, Florida
35 Statutes, is amended to read:

36 945.6034 Minimum health care standards.—

37 (1) The Assistant Secretary for Health Services is
38 responsible for developing a comprehensive health care delivery
39 system and promulgating all department health care standards.



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40 Such health care standards shall include, but are not limited
41 to, rules relating to the management structure of the health
42 care system and the provision of health care services to
43 inmates, health care policies, health care plans, quality
44 management systems and procedures, health service bulletins, and
45 treatment protocols. In establishing standards of care, the
46 department shall examine and consider the needs of inmates older
47 than 50 years of age and adopt health care standards unique to
48 this population.

49 Section 11. Section 947.148, Florida Statutes, is created
50 to read:

51 947.148 Supervised conditional elderly release.-

52 (1) The commission shall, in conjunction with the
53 department, establish a supervised conditional elderly release
54 program.

55 (2) An inmate is eligible for the commission's
56 consideration for release under the program when the inmate is
57 determined by the department to meet all of the following
58 criteria:

59 (a) Is 65 years of age or older.

60 (b) Has been convicted of a felony and has served at least
61 50 percent of his or her sentence.

62 (c) Is not eligible for parole or conditional medical
63 release.

64 (d) Has no more than two prior felony convictions, neither
65 of which is:

66 1. A capital offense;

67 2. A violent felony of the first degree;

68 3. A sexual offense; or



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69 4. An offense involving a child.
70 (e) Is not currently sentenced for:
71 1. A capital offense;
72 2. A sexual offense; or
73 3. An offense involving a child.
74 (f) Has not received a disciplinary report within the
75 previous 6 months.
76 (3) A petition filed on behalf of an inmate to participate
77 in the program must contain the inmate's:
78 (a) Proposed release plan.
79 (b) Any relevant medical history, including current medical
80 prognosis.
81 (c) Prison experience and criminal history. The criminal
82 history must include all of the following:
83 1. A claim of innocence, if any.
84 2. The degree to which the inmate accepts responsibility
85 for his or her acts leading to the conviction of the crime.
86 3. How any claim of responsibility has affected the
87 inmate's feelings of remorse.
88 (d) Any history of substance abuse and mental health
89 issues.
90 (e) Any disciplinary action taken against the inmate while
91 in prison.
92 (f) Any participation in prison work and other prison
93 programs.
94 (g) Any renunciation of gang affiliation.
95 (4) An inmate may not file a new petition within 1 year
96 after receiving notification of denial of his or her petition to
97 participate in the supervised conditional elderly release



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98 program. A petition that is filed before the 1-year period ends
99 shall be returned to the inmate, along with a notation
100 indicating the date that the petition may be refiled.

101 (5) All matters relating to the granting, denying, or
102 revoking of an inmate's supervised conditional release shall be
103 decided in a meeting that is open to the public. A victim of the
104 crime committed by the inmate, the victim's parent or guardian
105 if the victim is a minor, or the lawful representative of the
106 victim or of the victim's parent or guardian if the victim is a
107 minor may make an oral statement or submit a written statement
108 regarding his or her views as to the granting, denying, or
109 revoking of the inmate's supervised conditional release. A
110 person who is not a member or employee of the commission, the
111 victim of the crime committed by the inmate, the victim's parent
112 or guardian if the victim is a minor, or the lawful
113 representative of the victim or of the victim's parent or
114 guardian if the victim is a minor may participate in
115 deliberations concerning the granting, denying, or revoking of
116 an inmate's supervised conditional release only upon the prior
117 written approval of the chair of the commission. The commission
118 shall notify a victim of the crime committed by the inmate, the
119 victim's parent or guardian if the victim is a minor, or the
120 lawful representative of the victim or of the victim's parent or
121 guardian if the victim is a minor:

122 (a) Of the inmate's petition for supervised conditional
123 release within 30 days after the petition is received by the
124 commission;

125 (b) Of the commission's meeting within 30 days before the
126 meeting; and



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127 (c) Of the commission's decision within 30 days after the
128 decision.

129 (6) The commission may approve an inmate for participation
130 in the supervised conditional elderly release program if the
131 inmate demonstrates all of the following:

132 (a) Successful participation in programs designed to
133 restore the inmate as a useful and productive person in the
134 community upon release.

135 (b) Genuine reform and changed behavior over a period of
136 years.

137 (c) Remorse for actions that have caused pain and suffering
138 to the victims of his or her offenses.

139 (d) A renunciation of criminal activity and gang
140 affiliation if the inmate was a member of a gang.

141 (7) In considering an inmate's eligibility for
142 participation in the program, the commission shall review the
143 inmate's:

144 (a) Entire criminal history and record;

145 (b) Complete medical history, including history of
146 substance abuse, mental health issues, and current medical
147 prognosis;

148 (c) Prison disciplinary record;

149 (d) Work record;

150 (e) Participation in prison programs; and

151 (f) Gang affiliation, if any.

152
153 The commission shall consider the inmate's responsibility for
154 the acts leading to the conviction, including prior and
155 continued statements of innocence and the inmate's feelings of



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156 remorse.

157 (8) (a) An examiner shall interview an inmate within 90 days
158 after a petition is filed on behalf of the inmate. An interview
159 may be postponed for a period not to exceed 90 days. Such
160 postponement must be for good cause, which includes, but is not
161 limited to, the need for the commission to obtain a presentence
162 or postsentence investigation report or a violation report. The
163 reason for postponement shall be noted in writing and included
164 in the official record. A postponement for good cause may not
165 result in an interview being conducted later than 90 days after
166 the inmate's initial scheduled interview.

167 (b) During the interview, the examiner shall explain the
168 program to the inmate and review the inmate's information
169 described in subsection (7).

170 (c) Within 10 days after the interview, the examiner shall
171 deny the petition or recommend in writing to a panel of at least
172 two commissioners appointed by the chair a release date for the
173 inmate. The commissioners are not bound by the examiner's
174 recommended release date.

175 (9) An inmate may not be placed in the program merely as a
176 reward for good conduct or efficient performance of duties
177 assigned in prison. An inmate may not be placed in the program
178 unless the commission finds that there is reasonable probability
179 that, if the inmate is placed in the program, he or she will
180 live and conduct himself or herself as a respectable and law-
181 abiding person and that the inmate's release will be compatible
182 with his or her own welfare and the welfare of society.

183 (10) If the commission accepts the petition, approves the
184 proposed release plan, and determines that the inmate is



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185 eligible for the program, a panel of at least two commissioners
186 shall establish the terms and conditions of the supervised
187 release. When granting supervised release under the program, the
188 commission shall require the inmate to participate in 10 hours
189 of community service for each year served in prison, require the
190 inmate to be subject to electronic monitoring for at least 1
191 year, and require the inmate to pay reparation or restitution to
192 the victim for the damage or loss caused by the offense for
193 which the inmate was imprisoned. The commission may elect not to
194 impose any or all of the conditions if it finds reason that it
195 should not do so. If the commission does not order restitution
196 or orders only partial restitution, the commission must state on
197 the record the reasons for its decision. The amount of such
198 reparation or restitution shall be determined by the commission.

199 (11) The commission may impose special conditions it
200 considers warranted from its review of the release plan and the
201 inmate's record, including, but not limited to, a requirement
202 that an inmate:

203 (a) Pay any debt due and owing to the state under s. 960.17
204 or pay attorney fees and costs that are owed to the state under
205 s. 938.29.

206 (b) Not leave the state or a specified area within the
207 state without the consent of the commission.

208 (c) Not associate with persons engaged in criminal
209 activity.

210 (d) Carry out the instructions of his or her supervising
211 correctional probation officer.

212 (12) (a) An inmate may request a review of the terms and
213 conditions of his or her release under the program. A panel of



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214 at least two commissioners appointed by the chair shall consider
215 the inmate's request, render a written decision and the reasons
216 for the decision to continue or to modify the terms and
217 conditions of the supervised release, and inform the inmate of
218 the decision in writing within 30 days after the date of receipt
219 of the request for review. During the period of review of the
220 terms and conditions of the supervised release, the inmate is
221 subject to the authorized terms and conditions of the supervised
222 release until such time that a decision is made to continue or
223 modify the terms and conditions of the supervised release.

224 (b) The length of supervision shall be the remaining amount
225 of time the inmate has yet to serve, including calculations for
226 gain-time credit, as determined by the department.

227 (c) An inmate's participation in the program is voluntary,
228 and the inmate must agree to abide by all terms and conditions
229 of the supervised release. The commission, upon authorizing a
230 supervised release date, shall specify in writing the terms and
231 conditions of the program supervision and provide a certified
232 copy of these terms and conditions to the inmate.

233 (13) (a) At the time of sentencing, a trial court judge may
234 enter an order retaining jurisdiction over an offender for
235 review of a release order by the commission under this section.
236 Such jurisdiction of the trial court judge is limited to the
237 first one-third of the maximum sentence imposed. When an
238 offender is convicted of two or more felonies and concurrent
239 sentences are imposed, the jurisdiction of the trial court
240 applies to the first one-third of the maximum sentence imposed
241 for the most severe felony for which the offender was convicted.
242 When an offender is convicted of two or more felonies and



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243 consecutive sentences are imposed, the jurisdiction of the trial
244 court judge applies to the first one-third of the total
245 consecutive sentences imposed.

246 (b) In retaining jurisdiction for purposes of this
247 subsection, a trial court must state the justification with
248 individual particularity, and such justification shall be made a
249 part of the court record. A copy of the justification and the
250 uniform commitment form issued by the court pursuant to s.
251 944.17 shall be delivered to the department.

252 (c) Gain-time as provided for by law shall accrue, except
253 that an offender over whom the trial court has retained
254 jurisdiction as provided in this subsection may not be released
255 during the first one-third of his or her sentence by reason of
256 gain-time.

257 (d) In such a case of retained jurisdiction, the
258 commission, within 30 days after the entry of its release order,
259 shall send notice of its release order to the original
260 sentencing judge and to the appropriate state attorney. The
261 release order is contingent upon entry of an order by the
262 appropriate circuit judge relinquishing jurisdiction as provided
263 for in paragraph (e). If the original sentencing judge is no
264 longer serving, notice shall be sent to the chief judge of the
265 circuit in which the offender was sentenced. The chief judge may
266 designate a circuit judge within the circuit to act in the place
267 of the original sentencing judge.

268 (e) The original sentencing judge or his or her replacement
269 shall notify the commission within 10 days after receipt of the
270 notice required under paragraph (d) as to whether the court
271 desires to retain jurisdiction. If the original sentencing judge



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272 or his or her replacement does not so notify the commission
273 within the 10-day period or notifies the commission that the
274 court does not desire to retain jurisdiction, the commission may
275 dispose of the matter as it sees fit.

276 (f) Upon receipt of notice of intent to retain jurisdiction
277 from the original sentencing judge or his or her replacement,
278 the commission shall, within 10 days, forward to the court its
279 release order, the examiner's report and recommendation, and all
280 supporting information upon which its release order was based.

281 (g) Within 30 days after receipt of the items listed in
282 paragraph (f), the original sentencing judge or his or her
283 replacement shall review the order, findings, and evidence. If
284 the judge finds that the order of the commission is not based on
285 competent, substantial evidence or that participation in the
286 program is not in the best interest of the community or the
287 inmate, the court may vacate the release order. The judge or his
288 or her replacement shall notify the commission of the decision
289 of the court, and, if the release order is vacated, such
290 notification must contain the evidence relied on and the reasons
291 for denial. A copy of the notice shall be sent to the inmate.

292 (14) A correctional probation officer as defined in s.
293 943.10 shall supervise the inmate released under this program.

294 (15) The department and the commission shall adopt rules to
295 administer this section.

296 Section 12. Section 947.141, Florida Statutes, is amended,
297 to read:

298 947.141 Violations of conditional release, control release,
299 supervised conditional elderly release, ~~or~~ conditional medical
300 release, or addiction-recovery supervision.-



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301 (1) If a member of the commission or a duly authorized
302 representative of the commission has reasonable grounds to
303 believe that an offender who is on release supervision under s.
304 947.1405, s. 947.146, s. 947.148, s. 947.149, or s. 944.4731 has
305 violated the terms and conditions of the release in a material
306 respect, such member or representative may cause a warrant to be
307 issued for the arrest of the releasee; if the offender was found
308 to be a sexual predator, the warrant must be issued.

309 (2) Upon the arrest on a felony charge of an offender who
310 is on release supervision under s. 947.1405, s. 947.146, s.
311 947.148, s. 947.149, or s. 944.4731, the offender must be
312 detained without bond until the initial appearance of the
313 offender at which a judicial determination of probable cause is
314 made. If the trial court judge determines that there was no
315 probable cause for the arrest, the offender may be released. If
316 the trial court judge determines that there was probable cause
317 for the arrest, such determination also constitutes reasonable
318 grounds to believe that the offender violated the conditions of
319 the release. Within 24 hours after the trial court judge's
320 finding of probable cause, the detention facility administrator
321 or designee shall notify the commission and the department of
322 the finding and transmit to each a facsimile copy of the
323 probable cause affidavit or the sworn offense report upon which
324 the trial court judge's probable cause determination is based.
325 The offender must continue to be detained without bond for a
326 period not exceeding 72 hours excluding weekends and holidays
327 after the date of the probable cause determination, pending a
328 decision by the commission whether to issue a warrant charging
329 the offender with violation of the conditions of release. Upon



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330 the issuance of the commission's warrant, the offender must
331 continue to be held in custody pending a revocation hearing held
332 in accordance with this section.

333 (3) Within 45 days after notice to the Florida Commission
334 on Offender Review of the arrest of a releasee charged with a
335 violation of the terms and conditions of conditional release,
336 control release, supervised conditional elderly release,
337 conditional medical release, or addiction-recovery supervision,
338 the releasee must be afforded a hearing conducted by a
339 commissioner or a duly authorized representative thereof. If the
340 releasee elects to proceed with a hearing, the releasee must be
341 informed orally and in writing of the following:

342 (a) The alleged violation with which the releasee is
343 charged.

344 (b) The releasee's right to be represented by counsel.

345 (c) The releasee's right to be heard in person.

346 (d) The releasee's right to secure, present, and compel the
347 attendance of witnesses relevant to the proceeding.

348 (e) The releasee's right to produce documents on the
349 releasee's own behalf.

350 (f) The releasee's right of access to all evidence used
351 against the releasee and to confront and cross-examine adverse
352 witnesses.

353 (g) The releasee's right to waive the hearing.

354 (4) Within a reasonable time following the hearing, the
355 commissioner or the commissioner's duly authorized
356 representative who conducted the hearing shall make findings of
357 fact in regard to the alleged violation. A panel of no fewer
358 than two commissioners shall enter an order determining whether



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359 the charge of violation of conditional release, control release,
360 supervised conditional elderly release, conditional medical
361 release, or addiction-recovery supervision has been sustained
362 based upon the findings of fact presented by the hearing
363 commissioner or authorized representative. By such order, the
364 panel may revoke conditional release, control release,
365 supervised conditional elderly release, conditional medical
366 release, or addiction-recovery supervision and thereby return
367 the releasee to prison to serve the sentence imposed, reinstate
368 the original order granting the release, or enter such other
369 order as it considers proper. Effective for inmates whose
370 offenses were committed on or after July 1, 1995, the panel may
371 order the placement of a releasee, upon a finding of violation
372 pursuant to this subsection, into a local detention facility as
373 a condition of supervision.

374 (5) Effective for inmates whose offenses were committed on
375 or after July 1, 1995, notwithstanding the provisions of ss.
376 775.08, former 921.001, 921.002, 921.187, 921.188, 944.02, and
377 951.23, or any other law to the contrary, by such order as
378 provided in subsection (4), the panel, upon a finding of guilt,
379 may, as a condition of continued supervision, place the releasee
380 in a local detention facility for a period of incarceration not
381 to exceed 22 months. Prior to the expiration of the term of
382 incarceration, or upon recommendation of the chief correctional
383 officer of that county, the commission shall cause inquiry into
384 the inmate's release plan and custody status in the detention
385 facility and consider whether to restore the inmate to
386 supervision, modify the conditions of supervision, or enter an
387 order of revocation, thereby causing the return of the inmate to



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388 | prison to serve the sentence imposed. The provisions of this
389 | section do not prohibit the panel from entering such other order
390 | or conducting any investigation that it deems proper. The
391 | commission may only place a person in a local detention facility
392 | pursuant to this section if there is a contractual agreement
393 | between the chief correctional officer of that county and the
394 | Department of Corrections. The agreement must provide for a per
395 | diem reimbursement for each person placed under this section,
396 | which is payable by the Department of Corrections for the
397 | duration of the offender's placement in the facility. This
398 | section does not limit the commission's ability to place a
399 | person in a local detention facility for less than 1 year.

400 | (6) Whenever a conditional release, control release,
401 | supervised conditional elderly release, conditional medical
402 | release, or addiction-recovery supervision is revoked by a panel
403 | of no fewer than two commissioners and the releasee is ordered
404 | to be returned to prison, the releasee, by reason of the
405 | misconduct, shall be deemed to have forfeited all gain-time or
406 | commutation of time for good conduct, as provided for by law,
407 | earned up to the date of release. However, if a conditional
408 | medical release is revoked due to the improved medical or
409 | physical condition of the releasee, the releasee shall not
410 | forfeit gain-time accrued before the date of conditional medical
411 | release. This subsection does not deprive the prisoner of the
412 | right to gain-time or commutation of time for good conduct, as
413 | provided by law, from the date of return to prison.

414 | (7) If a law enforcement officer has probable cause to
415 | believe that an offender who is on release supervision under s.
416 | 947.1405, s. 947.146, s. 947.148, s. 947.149, or s. 944.4731 has



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417 violated the terms and conditions of his or her release by
418 committing a felony offense, the officer shall arrest the
419 offender without a warrant, and a warrant need not be issued in
420 the case.

421 (8) If a law enforcement officer or a correctional
422 probation officer has probable cause to believe that an offender
423 who is supervised under the supervised conditional elderly
424 release program has violated the terms and conditions of his or
425 her supervision in a material respect, the officer may arrest
426 the offender without warrant and bring him or her before one or
427 more commissioners or a duly authorized representative of the
428 commission. Proceedings must take place after a warrant has been
429 issued by a member of the commission or a duly authorized
430 representative of the commission.

431 Section 13. Present paragraphs (a) and (b) of subsection
432 (1) of section 947.149, Florida Statutes, are redesignated as
433 paragraphs (b) and (c), respectively, a new paragraph (a) is
434 added to that subsection, and subsection (5) of that section is
435 republished, to read:

436 947.149 Conditional medical release.—

437 (1) The commission shall, in conjunction with the
438 department, establish the conditional medical release program.
439 An inmate is eligible for consideration for release under the
440 conditional medical release program when the inmate, because of
441 an existing medical or physical condition, is determined by the
442 department to be within one of the following designations:

443 (a) "Elderly and infirm inmate," which means an inmate who
444 has no current or prior conviction for a capital or first degree
445 felony, who has no current or prior conviction for a sexual



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446 offense or an offense against a child, who is 65 years of age or
447 older, and who has a condition caused by injury, disease, or
448 illness which, to a reasonable degree of medical certainty,
449 renders the inmate infirm or physically impaired to the extent
450 that the inmate does not constitute a danger to himself or
451 herself or others.

452 (5) (a) If it is discovered during the conditional medical
453 release that the medical or physical condition of the medical
454 releasee has improved to the extent that she or he would no
455 longer be eligible for conditional medical release under this
456 section, the commission may order that the releasee be returned
457 to the custody of the department for a conditional medical
458 release revocation hearing, in accordance with s. 947.141. If
459 conditional medical release is revoked due to improvement in the
460 medical or physical condition of the releasee, she or he shall
461 serve the balance of her or his sentence with credit for the
462 time served on conditional medical release and without
463 forfeiture of any gain-time accrued prior to conditional medical
464 release. If the person whose conditional medical release is
465 revoked due to an improvement in medical or physical condition
466 would otherwise be eligible for parole or any other release
467 program, the person may be considered for such release program
468 pursuant to law.

469 (b) In addition to revocation of conditional medical
470 release pursuant to paragraph (a), conditional medical release
471 may also be revoked for violation of any condition of the
472 release established by the commission, in accordance with s.
473 947.141, and the releasee's gain-time may be forfeited pursuant
474 to s. 944.28(1).



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475 Section 14. For the purpose of incorporating the amendment
476 made by this act to section 947.141, Florida Statutes, in a
477 reference thereto, subsection (1) of section 947.1405, Florida
478 Statutes, is reenacted to read:

479 947.1405 Conditional release program.—

480 (1) This section and s. 947.141 may be cited as the
481 “Conditional Release Program Act.”

482 Section 15. For the purpose of incorporating the amendment
483 made by this act to section 947.141, Florida Statutes, in
484 references thereto, subsections (12) and (14) of section
485 947.146, Florida Statutes, are reenacted to read:

486 947.146 Control Release Authority.—

487 (12) When the authority has reasonable grounds to believe
488 that an offender released under this section has violated the
489 terms and conditions of control release, such offender shall be
490 subject to the provisions of s. 947.141 and shall be subject to
491 forfeiture of gain-time pursuant to s. 944.28(1).

492 (14) Effective July 1, 1996, all control release dates
493 established prior to such date become void and no inmate shall
494 be eligible for release under any previously established control
495 release date. Offenders who are under control release
496 supervision as of July 1, 1996, shall be subject to the
497 conditions established by the authority until such offenders
498 have been discharged from supervision. Offenders who have
499 warrants outstanding based on violation of supervision as of
500 July 1, 1996, or who violate the terms of their supervision
501 subsequent to July 1, 1996, shall be subject to the provisions
502 of s. 947.141.

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504 ===== T I T L E A M E N D M E N T =====

505 And the title is amended as follows:

506 Delete line 53

507 and insert:

508 provisions to changes made by the act; amending s.
509 921.002, F.S.; authorizing defendants 65 years of age
510 or older who receive favorable determinations from the
511 commission under discretionary and revocable release
512 programs to serve less than 85 percentage of their
513 sentences; authorizing the reduction in sentence up to
514 a specified percentage based on such determination;
515 amending s. 945.6034, F.S.; requiring the Department
516 of Corrections to consider the needs of inmates older
517 than 50 years of age and adopt health care standards
518 for that population; creating s. 947.148, F.S.;
519 requiring the Florida Commission on Offender Review,
520 in conjunction with the department, to establish a
521 supervised conditional elderly release program;
522 providing criteria for program eligibility; requiring
523 that the petition to participate in the program
524 include certain documents; prohibiting inmates from
525 filing new petitions under certain circumstances;
526 requiring specified matters to be decided in meetings
527 that are open to the public; authorizing certain
528 persons to make a statement regarding an inmate's
529 supervised release under the program; requiring that
530 the commission notify certain persons within a
531 specified period regarding specified matters;
532 authorizing the commission to approve an inmate's



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533 participation in the program under certain
534 circumstances; requiring the commission to review
535 certain information in considering an inmate's
536 eligibility for the program; requiring an examiner to
537 interview an inmate who has filed a petition for
538 supervised release under the program within a
539 specified time; requiring the examiner to explain the
540 program and review certain criteria; requiring that
541 the examiner deny the petition or recommend a release
542 date for the inmate; prohibiting use of the program
543 under certain circumstances; requiring a panel of
544 commissioners to establish terms and conditions of the
545 supervised release under certain circumstances;
546 specifying required conditions for participating in
547 the program; providing exceptions; authorizing the
548 commission to impose special conditions of supervised
549 release; authorizing the inmate to request a review of
550 the terms and conditions of supervised release;
551 specifying the length of the supervised release;
552 providing that participation in the program is
553 voluntary; requiring the commission to specify in
554 writing the terms and conditions of release and
555 provide a certified copy to the inmate; authorizing
556 the trial court judge to enter an order to retain
557 jurisdiction over the offender; providing a limitation
558 of the trial court's jurisdiction; providing for
559 accrual of gain-time; providing procedures if the
560 trial court retains jurisdiction of the inmate;
561 requiring a correctional probation officer to



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562 supervise an inmate who is released under the program;
563 requiring rulemaking; amending s. 947.141, F.S.;
564 conforming provisions to changes made by the act;
565 authorizing the arrest of a releasee under certain
566 circumstances; requiring that the proceedings take
567 place under certain circumstances; amending s.
568 947.149, F.S.; defining the term "elderly and infirm
569 inmate"; expanding eligibility for conditional medical
570 release to include elderly and infirm inmates;
571 reenacting ss. 947.1405(1) and 947.146(12) and (14),
572 F.S., relating to a short title and the Control
573 Release Authority, respectively, to incorporate the
574 amendment made to s. 947.141, F.S., in references
575 thereto; providing an