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LEGISLATIVE ACTION

Senate

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House

The Committee on Criminal Justice (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete lines 55 - 96

and insert:

(2) For purposes of this section, the term "completion of sentence" occurs when a person is released from incarceration upon expiration of his or her sentence and has completed all other terms and conditions of the sentence or subsequent supervision or, if the person has not been incarcerated for the felony offense, has completed all terms and conditions of



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11 supervision imposed on him or her.

12 (3) (a) A person is ineligible for restoration of civil
13 rights under this section if he or she was convicted of a crime
14 defined by any of the following:

15 1. Section 782.04, relating to murder.

16 2. Section 782.07(3), relating to aggravated manslaughter
17 of a child.

18 3. Section 794.011, relating to sexual battery.

19 4. Section 826.04, relating to incest.

20 5. Section 827.071, relating to sexual performance by a
21 child.

22 6. Section 847.0145, relating to selling or buying of
23 minors, otherwise transferring or obtaining custody or control
24 of minors, or offering to do the same.

25 (b) A person is ineligible for restoration of civil rights
26 under this section if he or she was convicted of treason or if
27 his or her impeachment has resulted in conviction, as referred
28 to in s. 8, Art. IV of the State Constitution.

29 (4) This section does not impair the ability of a person
30 convicted of a felony to apply for executive clemency under s.
31 8, Art. IV of the State Constitution.

32 (5) A court shall, before accepting a plea of guilty or
33 nolo contendere to a felony without trial or, if a trial is
34 held, before imposing sentence for a felony, notify the
35 defendant as follows:

36 (a) If the felony is described in subsection (3), that
37 conviction will result in permanent loss of civil rights unless
38 he or she receives executive clemency under s. 8, Art. IV of the
39 State Constitution.



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40 (b) If the felony is not described in subsection (3), that
41 conviction will result in loss of civil rights until the
42 defendant completes his or her sentence and that civil rights
43 will be restored thereafter.

44

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

46 And the title is amended as follows:

47 Delete lines 7 - 8

48 and insert:

49 rights after completion of his or her sentence of