

h0113e2-20-01

Bill No. CS/CS/HB 113, 2nd Eng.

Amendment No. 1 (for drafter's use only)

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

Representative(s) Crist, Roberts, Feeney, and Bloom offered the following:

Amendment to Senate Amendment (821620) (with title amendment)

On page 1, lines 20-21
remove from the amendment: all of said lines

and insert in lieu thereof: the person. Possession may also be proven by demonstrating that the defendant had the firearm within immediate physical reach with ready access with the intent to use the firearm during the commission of the offense, if proven beyond a reasonable doubt.

(5) In every case in which a law enforcement agency based a criminal charge on facts demonstrating that the defendant met the criteria in s. 775.087(2)(a)1., 2., or 3. or s. 775.087(3)(a)1., 2., or 3. and in which the defendant did not receive the mandatory penalty, the state attorney must place in the court file a memorandum explaining why the minimum mandatory penalty was not imposed.

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

2 And the title is amended as follows:

3 On page 1, line 30 of the amendment

4

5 insert after the semicolon:

6 requiring the state attorney to place in court

7 files certain memoranda;

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