By the Committee on Criminal Justice and Senator Campbell

307-1692-99

1   A bill to be entitled
2   An act relating to restitution; amending s.
3   775.089, F.S.; specifying retention of
4   jurisdiction by courts to enforce restitution
5   under certain circumstances; providing an
6   effective date.
7
8   Be It Enacted by the Legislature of the State of Florida:
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10   Section 1. Subsection (3) of section 775.089, Florida
11 Statutes, is amended to read:
12   775.089 Restitution.--
13   (3)(a) The court may require that the defendant make
14 restitution under this section within a specified period or in
15 specified installments.
16   (b) The end of such period or the last such
17 installment shall not be later than:
18   1. The end of the period of probation if probation is
19 ordered;
20   2. Five years after the end of the term of
21 imprisonment imposed if the court does not order probation; or
22   3. Five years after the date of sentencing in any
23 other case.
24   (c) Notwithstanding this subsection, a court that has
25 ordered restitution for a misdemeanor offense shall retain
26 jurisdiction for the purpose of enforcing the restitution
27 order for any period, not to exceed 5 years, that is
28 pronounced by the court at the time restitution is ordered.
29   (d)(c) If not otherwise provided by the court under
30 this subsection, restitution must be made immediately.
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CODING:Words stricken are deletions; words underlined are additions.

1 | If the restitution ordered by the court is not made within the

2 | time period specified, the court may continue the restitution

3 | order through the duration of the civil judgment provision set

4 | forth in subsection (5) and as provided in s. 55.10.

5 | Section 2. This act shall take effect October 1, 1999.

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7 | STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
                        COMMITTEE SUBSTITUTE FOR
8 | Senate Bill 744

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10 | -   Places the bill's provisions in subsection (3), the
                payment schedules provision of s. 775.089, F.S.
11 |
      -       Deletes "county court" reference and specifies "court"
12 | so that either a county or circuit court could retain
                jurisdiction.
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      -       Contains a 5 year limitation on the court's authority to
14 | retain jurisdiction.

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