

By the Committee on Criminal Justice and Senator Smith

307-681-01

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A bill to be entitled
An act relating to sentencing; amending s.
944.17, F.S.; requiring that a prisoner
sentenced for a crime committed during
incarceration in the state correctional system
serve the sentence for such crime in the state
system, regardless of the length of sentence
imposed; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (3) of section 944.17, Florida
Statutes, is amended to read:

944.17 Commitments and classification; transfers.--

(3)(a) Notwithstanding the provisions of s. 948.03,
only those persons who are convicted and sentenced in circuit
court to a cumulative sentence of incarceration for 1 year or
more, whether sentence is imposed in the same or separate
circuits, may be received by the department into the state
correctional system. Such persons shall be delivered to the
custody of the department at such reception and classification
centers as shall be provided for this purpose.

(b) Notwithstanding paragraph (a), any prisoner
incarcerated in the state correctional system or private
correctional facility operated pursuant to chapter 957 who is
convicted in circuit or county court of a crime committed
during that incarceration shall serve the sentence imposed for
that crime within the state correctional system regardless of
the length of sentence or classification of the offense.

(c)1. When the highest ranking offense for which the
prisoner is convicted is a felony, the trial court shall

1 sentence the prisoner pursuant to the Criminal Punishment Code
2 in chapter 921.

3 2. When the highest ranking offense for which the
4 prisoner is convicted is a misdemeanor, the trial court shall
5 sentence the prisoner pursuant to s. 775.082(4).

6 Section 2. This act shall take effect July 1, 2001.

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8 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
9 COMMITTEE SUBSTITUTE FOR
10 Senate Bill 240

- 11 1. Provides technical change.
12 2. Deletes requirement for consecutive sentencing
13 originally called for in the bill.
14 3. Adds sentencing directions for trial court.

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