

Bill No. CS for SB 322, 1st Eng.

Amendment No. Barcode 692450

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Crist moved the following substitute for amendment (884704):

Senate Amendment (with title amendment)

On page 2, between lines 20 and 21,

insert:

Section 2. Subsection (5) of section 921.0021, Florida Statutes, is amended to read:

921.0021 Definitions.--As used in this chapter, for any felony offense, except any capital felony, committed on or after October 1, 1998, the term:

(5) "Prior record" means a conviction for a crime committed by the offender, as an adult or a juvenile, prior to the time of the primary offense. Convictions by federal, out-of-state, military, or foreign courts, and convictions for violations of county or municipal ordinances that incorporate by reference a penalty under state law, are included in the offender's prior record. Convictions for offenses committed by the offender more than 10 years before the primary offense are not included in the offender's prior record if the

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1 offender has not been convicted of any other crime for a
2 period of 10 consecutive years from the most recent date of
3 release from confinement, supervision, or sanction, whichever
4 is later, to the date of the primary offense. Juvenile
5 dispositions of offenses committed by the offender within 5 ~~3~~
6 years before the primary offense are included in the
7 offender's prior record when the offense would have been a
8 crime had the offender been an adult rather than a juvenile.
9 Juvenile dispositions of sexual offenses committed by the
10 offender which were committed 5 ~~3~~ years or more before the
11 primary offense are included in the offender's prior record if
12 the offender has not maintained a conviction-free record,
13 either as an adult or a juvenile, for a period of 5 ~~3~~
14 consecutive years from the most recent date of release from
15 confinement, supervision, or sanction, whichever is later, to
16 the date of the primary offense.

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18 (Redesignate subsequent sections.)

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

22 And the title is amended as follows:

23 On page 1, lines 2-16, delete those lines

24

25 and insert:

26 An act relating to the disposition of
27 offenders; amending s. 944.1905, F.S.;
28 requiring that certain inmates who are less
29 than a specified age be placed in specific
30 correctional facilities and housed in separate
31 dormitories; requiring that the Department of

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1 Corrections report to the Legislature on its
2 compliance with housing youthful offenders;
3 requiring that certain inmates who are less
4 than a specified age and who have no prior
5 juvenile adjudication be placed in facilities
6 for youthful offenders; providing for the
7 reassignment of an inmate to the general
8 population if the inmate threatens the safety
9 of other inmates or correctional staff;
10 amending s. 921.0021, F.S.; redefining the term
11 "prior record" to extend the time during which
12 the disposition of certain juvenile offenses
13 are included in an offender's record; providing
14 an effective date.

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