

Bill No. SB 338

Amendment No. 4 Barcode 772500

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Criminal Justice recommended the following amendment:

Senate Amendment (with title amendment)

On page 5, line 14, through page 6, line 26, delete those lines

and insert:

Section 2. Section 775.0823, Florida Statutes, is amended to read:

775.0823 Violent offenses committed against law enforcement officers, correctional officers, state attorneys, assistant state attorneys, justices, or judges.--~~Any provision of law to the contrary notwithstanding,~~The Legislature does hereby provide for an increase and certainty of penalty for any person convicted of a violent offense against any law enforcement or correctional officer, as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9); against any state attorney elected pursuant to s. 27.01 or assistant state attorney appointed under s. 27.181; or against any justice or judge of a court described in Art. V of the State

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1 Constitution, which offense arises out of or in the scope of
2 the officer's duty as a law enforcement or correctional
3 officer, the state attorney's or assistant state attorney's
4 duty as a prosecutor or investigator, or the justice's or
5 judge's duty as a judicial officer, as follows:

6 (1) For murder in the first degree as described in s.
7 782.04(1), if the death sentence is not imposed, a sentence of
8 imprisonment for life without eligibility for release.

9 (2) For attempted murder in the first degree as
10 described in s. 782.04(1), a sentence pursuant to s. 775.082,
11 s. 775.083, or s. 775.084 ~~the Criminal Punishment Code~~.

12 (3) For murder in the second degree as described in s.
13 782.04(2) and (3), a sentence pursuant to s. 775.082, s.
14 775.083, or s. 775.084 ~~the Criminal Punishment Code~~.

15 (4) For attempted murder in the second degree as
16 described in s. 782.04(2) and (3), a sentence pursuant to
17 775.082, s. 775.083, or s. 775.084 ~~the Criminal Punishment~~
18 ~~Code~~.

19 (5) For murder in the third degree as described in s.
20 782.04(4), a sentence pursuant to s. 775.082, s. 775.083, or
21 s. 775.084 ~~the Criminal Punishment Code~~.

22 (6) For attempted murder in the third degree as
23 described in s. 782.04(4), a sentence pursuant to s 775.082,
24 s. 775.083, or s. 775.084 ~~the Criminal Punishment Code~~.

25 (7) For manslaughter as described in s. 782.07 during
26 the commission of a crime, a sentence pursuant to s. 775.082,
27 s. 775.083, or s. 775.084 ~~the Criminal Punishment Code~~.

28 (8) For kidnapping as described in s. 787.01, a
29 sentence pursuant to s. 775.082, s. 775.083, or s. 775.084 ~~the~~
30 ~~Criminal Punishment Code~~.

31 (9) For aggravated battery as described in s. 784.045,

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1 a sentence pursuant to s. 775.082, s. 775.083, or s. 775.084
2 ~~the Criminal Punishment Code.~~

3 (10) For aggravated assault as described in s.
4 784.021, a sentence pursuant to s. 775.082, s. 775.083, or s.
5 775.084 ~~the Criminal Punishment Code.~~

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7 Notwithstanding the provisions of s. 948.01, with respect to
8 any person who is found to have violated this section,
9 adjudication of guilt or imposition of sentence shall not be
10 suspended, deferred, or withheld.

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

14 And the title is amended as follows:

15 On page 1, lines 12-18, delete those lines

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17 and insert:

18 officer's person; amending s. 775.0823, F.S.;
19 correcting sentencing references; reenacting
20 ss. 782.051, 903.133, 921.0022(3)(h) and (i),
21 and 947.146(3)(i), F.S., relating to

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