

By Representative Stansel

1 A bill to be entitled
2 An act relating to sentencing; amending s.
3 944.17, F.S.; requiring that a prisoner
4 sentenced for a crime committed during
5 incarceration in the state correctional system
6 or a private correctional facility serve the
7 sentence for such crime in the state
8 correctional system or a private correctional
9 facility, regardless of the length of sentence
10 imposed or the classification of the offense;
11 providing for sentencing based on
12 classification of the offense; providing an
13 effective date.

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

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

19 944.17 Commitments and classification; transfers.--

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

28 (b) Notwithstanding paragraph (a), any prisoner
29 incarcerated in the state correctional system or a private
30 correctional facility operating pursuant to chapter 957 who is
31 convicted in circuit or county court of a crime committed

1 during that incarceration shall serve the sentence imposed for
2 that crime within the state correctional system or a private
3 correctional facility regardless of the length of sentence or
4 classification of the offense.

5 (c)1. When the highest ranking offense for which a
6 prisoner is convicted is a felony, the trial court shall
7 sentence the prisoner pursuant to the Criminal Punishment Code
8 under chapter 921.

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

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

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14 HOUSE SUMMARY

15 Provides that a prisoner who is sentenced for a crime
16 committed while incarcerated in the state correctional
17 system or a private correctional facility be required to
18 serve the sentence for that crime in the state
19 correctional system or a private correctional facility,
20 regardless of the length of sentence imposed or the
classification of the offense. Provides for sentencing
based on classification of the offense.