



HB 1273

2003

1 A bill to be entitled

2 An act relating to community control; providing a popular  
3 name; amending s. 948.10, F.S.; requiring that the  
4 Department of Corrections notify the supervising probation  
5 officer if the court places an offender on community  
6 control who is ineligible for such placement; requiring  
7 that the department seek modification of the offender's  
8 sentence if possible; requiring that the department notify  
9 the sentencing judge; requiring that the department report  
10 to the chief judge of each circuit, the state attorneys,  
11 and the Supreme Court on the placement of ineligible  
12 offenders on community control; providing an effective  
13 date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17 Section 1. This act shall be known by the popular name the  
18 "Senator Howard Futch Act."

19 Section 2. Subsection (7) is added to section 948.10,  
20 Florida Statutes, to read:

21 948.10 Community control programs.--

22 (7) If an offender is sentenced to community control by  
23 the court as part of a plea agreement and the offender is  
24 ineligible to be placed on community control as provided in s.  
25 948.01(10), the department shall:

26 (a) Immediately notify the correctional probation officer  
27 assigned to supervise that offender of the offender's status and  
28 direct that the officer monitor the offender carefully. If  
29 possible, the department shall seek a modification of the



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30 offender's sentence which provides for greater surveillance,  
31 monitoring, or confinement.

32 (b) Notify the sentencing judge within 30 days after  
33 imposition of the sentence that the offender was ineligible for  
34 placement on community control.

35 (c) Report each quarter to the chief judge and the state  
36 attorney of each circuit the placement of any ineligible  
37 offender on community control within that circuit.

38 (d) Provide an annual report to the Chief Justice of the  
39 Supreme Court on the placement of ineligible offenders on  
40 community control in order to assist the Supreme Court in  
41 preparing judicial education programs.

42 Section 3. This act shall take effect July 1, 2003.