

By Senator Smith

26-428-03

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

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

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19 Section 1. 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
23 by 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
27 officer assigned to supervise that offender of the offender's
28 status and direct that the officer monitor the offender
29 carefully. If possible, the department shall seek a
30 modification of the offender's sentence which provides for
31 greater surveillance, monitoring, or confinement.

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

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

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

Section 2. This act shall take effect July 1, 2003.

SENATE SUMMARY

If the court places an ineligible offender on community control, requires that the Department of Corrections notify the offender's correctional probation officer. Provides for the department to seek to modify the offender's sentence. Requires the department to notify the sentencing judge within 30 days after sentencing. Requires that reports concerning the placement of ineligible offenders on community control be provided to the chief judge of each circuit, the state attorneys, and the Supreme Court.