

Bill No. CS for SB 1964

Barcode 793634

CHAMBER ACTION

Senate

House

1	.
2	.
3	.
4	.
5	.
6	.
7	.
8	.
9	.
10	.

11 The Committee on Criminal Justice (Haridopolos) recommended
12 the following amendment:

14 **Senate Amendment**

15 On page 2, lines 25-31, delete those lines

17 and insert: incarcerated person means a person who has been
18 ordered released from incarceration under the following
19 circumstances:

20 (a) The person was charged, by indictment or
21 information, with the commission of an offense classified as a
22 felony;

23 (b) The person did not plead guilty or no contest to
24 the offense charged or to any lesser included offense, unless
25 the person was charged with a capital offense;

26 (c) The person was convicted of the offense;

27 (d) The person was sentenced to incarceration for a
28 term of imprisonment as a result of the conviction;

29 (e) The person was imprisoned solely on the basis of
30 the conviction for the offense;

31 (f) The person did not, by his or her misconduct or

Bill No. CS for SB 1964

Barcode 793634

1 neglect, bring about the prosecution;

2 (g) The person's acts did not constitute a crime; and

3 (h) A court of competent jurisdiction found by clear

4 and convincing evidence that the offense for which the person

5 was convicted, sentenced, and imprisoned, including any lesser

6 included offenses, was not committed by the person and issued

7 an order vacating, dismissing, or reversing the conviction and

8 sentence and providing that no further proceedings can be or

9 will be held against the person on any facts and circumstances

10 alleged in the proceedings which had resulted in the

11 conviction.

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31