

Bill No. SB 2622

Barcode 261678

CHAMBER ACTION

Senate

House

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Comm: WD
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The Committee on Judiciary (Villalobos) recommended the following amendment:

Senate Amendment

On page 8, line 16, through
page 10, line 19, delete those lines

and insert:

Community sanction violation points are assessed when a community sanction violation is before the court for sentencing. Six (6) sentence points are assessed for each community sanction violation, and each successive community sanction violation, unless any of the following apply:

~~however,~~

1. If the community sanction violation includes a new felony conviction before the sentencing court, twelve (12) community sanction violation points are assessed for the ~~such~~ violation, and for each successive community sanction violation involving a new felony conviction.

2. If the community sanction violation is committed by

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1 a violent felony offender of special concern as defined in s.
 2 948.06, but does not include a new felony conviction, twelve
 3 (12) community sanction violation points are assessed for the
 4 violation and for each successive community sanction violation
 5 not involving a new felony conviction.

6 3. If the community sanction violation is committed by
 7 a violent felony offender of special concern as defined in s.
 8 948.06, and includes a new felony conviction before the
 9 sentencing court, twenty-four (24) community sanction
 10 violation points are assessed for the violation and for each
 11 successive community sanction violation involving a new felony
 12 conviction.

13 Multiple counts of community sanction violations before
 14 the sentencing court shall not be a basis for multiplying the
 15 assessment of community sanction violation points.

16
 17 Prior serious felony points: If the offender has a primary
 18 offense or any additional offense ranked in level 8, level 9,
 19 or level 10, and one or more prior serious felonies, a single
 20 assessment of thirty (30) ~~30~~ points shall be added. For
 21 purposes of this section, a prior serious felony is an offense
 22 in the offender's prior record that is ranked in level 8,
 23 level 9, or level 10 under s. 921.0022 or s. 921.0023 and for
 24 which the offender is serving a sentence of confinement,
 25 supervision, or other sanction or for which the offender's
 26 date of release from confinement, supervision, or other
 27 sanction, whichever is later, is within 3 years before the
 28 date the primary offense or any additional offense was
 29 committed.

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 31 Prior capital felony points: If the offender has one or more

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1 prior capital felonies in the offender's criminal record,
 2 points shall be added to the subtotal sentence points of the
 3 offender equal to twice the number of points the offender
 4 receives for the primary offense and any additional offense. A
 5 prior capital felony in the offender's criminal record is a
 6 previous capital felony offense for which the offender has
 7 entered a plea of nolo contendere or guilty or has been found
 8 guilty; or a felony in another jurisdiction which is a capital
 9 felony in that jurisdiction, or would be a capital felony if
 10 the offense were committed in this state.

11
 12 Possession of a firearm, semiautomatic firearm, or machine
 13 gun: If the offender is convicted of committing or attempting
 14 to commit any felony other than those enumerated in s.
 15 775.087(2) while having in his or her possession: a firearm as
 16 defined in s. 790.001(6), an additional eighteen (18) ~~18~~
 17 sentence points are assessed; or if the offender is convicted
 18 of committing or attempting to commit any felony other than
 19 those enumerated in s. 775.087(3) while having in his or her
 20 possession a semiautomatic firearm as defined in s. 775.087(3)
 21 or a machine gun as defined in s. 790.001(9), an additional
 22 twenty-five (25) ~~25~~ sentence points are assessed.

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