

By the Committee on Criminal Justice; and Senator Storms

591-2609-07

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

A bill to be entitled

An act relating to sexual offenses; amending s.
775.082, F.S.; requiring life sentences for
certain third or subsequent offenders;
providing an effective date.

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

Section 1. Paragraph (a) of subsection (3) of section
775.082, Florida Statutes, is amended to read:

775.082 Penalties; applicability of sentencing
structures; mandatory minimum sentences for certain
reoffenders previously released from prison.--

(3) A person who has been convicted of any other
designated felony may be punished as follows:

(a)1. For a life felony committed prior to October 1,
1983, by a term of imprisonment for life or for a term of
years not less than 30.

2. Except as provided in subparagraph 3., for a life
felony committed on or after October 1, 1983, by a term of
imprisonment for life or by a term of imprisonment not
exceeding 40 years.

3. Except as provided in subparagraph 4., for a life
felony committed on or after July 1, 1995, by a term of
imprisonment for life or by imprisonment for a term of years
not exceeding life imprisonment.

4.a. Except as provided in sub-subparagraph b., for a
life felony committed on or after September 1, 2005, which is
a violation of s. 800.04(5)(b), by:

~~(I)a-~~ A term of imprisonment for life; or

1 ~~(II)b-~~ A split sentence that is a term of not less
2 than 25 years' imprisonment and not exceeding life
3 imprisonment, followed by probation or community control for
4 the remainder of the person's natural life, as provided in s.
5 948.012(4).

6 b. For a life felony committed on or after July 1,
7 2007, which is a person's third or subsequent violation of s.
8 800.04(5)(b), by a term of imprisonment for life.

9 Section 2. This act shall take effect July 1, 2007.

10
11 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
12 COMMITTEE SUBSTITUTE FOR
13 Senate Bill 2544

- 14 - Provides that for a life felony committed on or after
15 July 1, 2007, which is a person's third or subsequent
16 conviction for lewd molestation by an adult against a
17 victim less than 12 years of age, the person shall be
18 punished by a term of imprisonment for life.
19 - Removes provisions from the original bill that amended
20 the Dangerous Sexual Felony Offender Act and that
21 provided for reclassification of the degree of and
22 mandatory minimum terms for person who have repeat
23 convictions for specified offenses.
24
25
26
27
28
29
30
31