

Bill No. SB 638



171762

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: WD	.	
1/23/2008	.	
	.	
	.	

1 The Committee on Children, Families, and Elder Affairs (Baker)
 2 recommended the following **amendment**:

Senate Amendment (with title amendment)

Between line(s) 20 and 21

insert:

Section 2. Subsection (3) of section 775.089, Florida Statutes, is amended to read:

(3) (a) The court may require that the defendant make restitution under this section within a specified period or in specified installments.

(b) The end of such period or the last such installment shall not be later than:

1. The end of the period of probation if probation is ordered;



171762

16 2. Five years after the end of the term of imprisonment
17 imposed if the court does not order probation; or

18 3. Five years after the date of sentencing in any other
19 case.

20 (c) Notwithstanding this subsection, a court that has
21 ordered restitution for a misdemeanor offense shall retain
22 jurisdiction for the purpose of enforcing the restitution order
23 for any period, not to exceed 5 years, that is pronounced by the
24 court at the time restitution is ordered.

25 (d) Notwithstanding this subsection, a court that has
26 ordered restitution for the offense of sexual battery pursuant
27 to s. 794.057, F.S., shall retain jurisdiction for the purpose
28 of enforcing the restitution order.

29 ~~(d)~~ (e) If not otherwise provided by the court under this
30 subsection, restitution must be made immediately.

31
32 If the restitution ordered by the court is not made within the
33 time period specified, the court may continue the restitution
34 order through the duration of the civil judgment provision set
35 forth in subsection (5) and as provided in s. 55.10.

36
37 ===== T I T L E A M E N D M E N T =====

38 And the title is amended as follows:

39 On line(s) 4 after "battery;"
40 and insert: amending s. 775.089; authorizing court to retain
41 jurisdiction;

42 ...