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LEGISLATIVE ACTION

Senate

House

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Floor: 2/AD/2R

04/29/2010 10:43 AM

Senator Wise moved the following:

Senate Amendment (with title amendment)

Delete lines 70 - 82
and insert:

(d)1. It is the intent of the Legislature that offenders previously released from prison who meet the criteria in paragraph (a) be punished to the fullest extent of the law and as provided in this subsection, unless the state attorney determines that extenuating circumstances exist which preclude the just prosecution of the offender, including whether the victim recommends that the offender not be sentenced as provided in this subsection.



271322

14 2. For every case in which the offender meets the criteria
15 in paragraph (a) and does not receive the mandatory minimum
16 prison sentence, the state attorney must explain the sentencing
17 deviation in writing and place such explanation in the case file
18 maintained by the state attorney. ~~On an annual basis, each state~~
19

20 ===== T I T L E A M E N D M E N T =====

21 And the title is amended as follows:

22
23 Delete lines 7 - 11
24 and insert:

25
26 weapon; amending s. 775.082, F.S.; deleting a
27 provision that requires each state attorney to submit
28 on a quarterly basis a deviation memoranda relating to
29 why a defendant did not receive the mandatory minimum
30 prison sentence in cases involving certain specified
31 offenses; repealing s. 775.08401,