

By Senator Hays

20-00456-11

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1 A bill to be entitled
 2 An act relating to the offense of fleeing or
 3 attempting to elude a law enforcement officer if
 4 committed by a juvenile; amending s. 316.1935, F.S.;
 5 requiring the court to revoke, for a period not less
 6 than 1 year nor exceeding 5 years, the driver's
 7 license of an operator of a motor vehicle adjudicated
 8 delinquent for fleeing or attempting to elude a law
 9 enforcement officer under specified circumstances;
 10 prohibiting the court from suspending, deferring, or
 11 withholding an adjudication of delinquency for a
 12 juvenile who fled or attempted to elude a law
 13 enforcement officer; providing an effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

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 17 Section 1. Subsections (5) and (6) of section 316.1935,
 18 Florida Statutes, are amended to read:

19 316.1935 Fleeing or attempting to elude a law enforcement
 20 officer; aggravated fleeing or eluding.—

21 (5) The court shall revoke, for a period not less than 1
 22 year nor exceeding 5 years, the driver's license of any operator
 23 of a motor vehicle convicted of or adjudicated delinquent for a
 24 violation of subsection (1), subsection (2), subsection (3), or
 25 subsection (4).

26 (6) Notwithstanding s. 948.01, a ~~no~~ court may not suspend,
 27 defer, or withhold adjudication of guilt or delinquency or
 28 imposition of sentence for any violation of this section. A
 29 person convicted and sentenced to a mandatory minimum term of

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30 incarceration under paragraph (3)(b) or paragraph (4)(b) is not
31 eligible for statutory gain-time under s. 944.275 or any form of
32 discretionary early release, other than pardon or executive
33 clemency or conditional medical release under s. 947.149, prior
34 to serving the mandatory minimum sentence.

35 Section 2. This act shall take effect October 1, 2011.