

1                                   A bill to be entitled  
 2           An act relating to prison diversion programs; amending s.  
 3           921.00241, F.S.; increasing the number of Criminal  
 4           Punishment Code scoresheet total sentence points that an  
 5           offender may have and be eligible for a prison diversion  
 6           program; authorizing the court to sentence an offender in  
 7           a prison diversion program to serve a jail term not to  
 8           exceed 90 days; providing that a prison diversion program  
 9           may require electronic monitoring; providing an effective  
 10          date.

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

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 14           Section 1. Paragraph (b) of subsection (1) and subsection  
 15           (2) of section 921.00241, Florida Statutes, are amended to read:  
 16           921.00241 Prison diversion program.—

17           (1) Notwithstanding s. 921.0024 and effective for offenses  
 18           committed on or after July 1, 2009, a court may divert from the  
 19           state correctional system an offender who would otherwise be  
 20           sentenced to a state facility by sentencing the offender to a  
 21           nonstate prison sanction as provided in subsection (2). An  
 22           offender may be sentenced to a nonstate prison sanction if the  
 23           offender meets all of the following criteria:

24           (b) The offender's total sentence points score, as  
 25           provided in s. 921.0024, is not more than 60 ~~48~~ points, or the  
 26           offender's total sentence points score is 66 ~~54~~ points and 6 of  
 27           those points are for a violation of probation, community  
 28           control, or other community supervision, and do not involve a

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29 | new violation of law.

30 |       (2) If the court elects to impose a sentence as provided  
31 | in this section, the court shall sentence the offender to a term  
32 | of imprisonment in a jail not to exceed 90 days, probation,  
33 | community control, or community supervision with mandatory  
34 | participation in a prison diversion program of the Department of  
35 | Corrections if such program is funded and exists in the judicial  
36 | circuit in which the offender is sentenced. The prison diversion  
37 | program shall be designed to meet the unique needs of each  
38 | judicial circuit and of the offender population of that circuit.  
39 | The program may require electronic monitoring, residential,  
40 | nonresidential, or day-reporting requirements; substance abuse  
41 | treatment; employment; restitution; academic or vocational  
42 | opportunities; or community service work.

43 |       Section 2. This act shall take effect July 1, 2011.