

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; providing that a prison diversion program may  
 7           require a jail term not to exceed 90 days or electronic  
 8           monitoring; providing an effective date.

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

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 12           Section 1. Paragraph (b) of subsection (1) and subsection  
 13           (2) of section 921.00241, Florida Statutes, are amended to read:

14           921.00241 Prison diversion program.—

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

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

28           (2) If the court elects to impose a sentence as provided

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

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