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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/15/2011	.	
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The Committee on Budget (Wise) recommended the following:

Senate Amendment (with title amendment)

Between lines 22 and 23

insert:

Section 2. Subsections (4) and (5) of section 947.141, Florida Statutes, are amended to read:

947.141 Violations of conditional release, control release, or conditional medical release or addiction-recovery supervision.—

(4) Within a reasonable time following the hearing, the commissioner or the commissioner's duly authorized representative who conducted the hearing shall make findings of fact in regard to the alleged violation. A panel of no fewer



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14 than two commissioners shall enter an order determining whether
15 the charge of violation of conditional release, control release,
16 conditional medical release, or addiction-recovery supervision
17 has been sustained based upon the findings of fact presented by
18 the hearing commissioner or authorized representative. By such
19 order, the panel may revoke conditional release, control
20 release, conditional medical release, or addiction-recovery
21 supervision and ~~thereby~~ return the releasee to prison to serve
22 the sentence imposed, reinstate the original order granting the
23 release, or enter such other order as it considers proper.

24 Effective for inmates whose offenses were committed on or after
25 July 1, 1995, the panel may order the placement of a releasee,
26 upon a finding of violation pursuant to this subsection, into a
27 state prison, as defined by s. 944.08, or a local detention
28 facility as a condition of supervision.

29 (5) Effective for inmates whose offenses were committed on
30 or after July 1, 1995, notwithstanding the provisions of ss.
31 775.08, former 921.001, 921.002, 921.187, 921.188, 944.02, and
32 951.23, or any other law to the contrary, by such order as
33 provided in subsection (4), the panel, upon a finding of guilt,
34 may, as a condition of continued supervision, place the releasee
35 in a state prison or local detention facility for a period of
36 incarceration not to exceed 22 months. Before ~~Prior to~~ the
37 expiration of the term of incarceration, or upon recommendation
38 of the warden or chief correctional officer of that county, the
39 commission shall cause inquiry into the inmate's release plan
40 and custody status in the state prison or detention facility and
41 consider whether to restore the inmate to supervision, modify
42 the conditions of supervision, or enter an order of revocation,



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43 thereby causing the return of the inmate to prison to serve the
44 sentence imposed. ~~The provisions of~~ This section does ~~de~~ not
45 prohibit the panel from entering such other order or conducting
46 any investigation that it deems proper. The commission may ~~only~~
47 place a person in a local detention facility pursuant to this
48 section only if there is a contractual agreement between the
49 chief correctional officer of that county and the Department of
50 Corrections. The agreement must provide for a per diem
51 reimbursement for each person placed under this section, which
52 is payable by the Department of Corrections for the duration of
53 the offender's placement in the facility. This section does not
54 limit the commission's ability to place a person in a state
55 prison or local detention facility for less than 1 year.

56
57 ===== T I T L E A M E N D M E N T =====

58 And the title is amended as follows:

59 Delete line 4

60 and insert:

61 Act"; amending s. 947.141, F.S.; authorizing the
62 Parole Commission to order that a releasee who has
63 violated the conditions of release or supervision be
64 placed into a state prison; providing guidelines and
65 time limits with respect to such placement; amending
66 s. 948.06, F.S.; authorizing a circuit