

By Senator Thompson

12-00457-13

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1 A bill to be entitled

2 An act relating to sentencing of offenders; amending  
3 s. 775.082, F.S.; revising the number of sentencing  
4 points the offender might accumulate below which the  
5 court must sentence the offender to a nonstate prison  
6 sanction; providing that if the court makes written  
7 findings that a nonstate prison sanction could present  
8 a danger to the public, the court may sentence the  
9 offender to a state correctional facility; providing  
10 an effective date.

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

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14 Section 1. Subsection (10) of section 775.082, Florida  
15 Statutes, is amended to read:

16 775.082 Penalties; applicability of sentencing structures;  
17 mandatory minimum sentences for certain reoffenders previously  
18 released from prison.—

19 (10) If a defendant is sentenced for an offense committed  
20 on or after July 1, 2009, which is a third degree felony but not  
21 a forcible felony as defined in s. 776.08, and excluding any  
22 third degree felony violation under chapter 810, and if the  
23 total sentence points pursuant to s. 921.0024 are 44 ~~22~~ points  
24 or fewer, the court must sentence the offender to a nonstate  
25 prison sanction. However, if the court makes written findings  
26 that a nonstate prison sanction could present a danger to the  
27 public, the court may sentence the offender to a state  
28 correctional facility pursuant to this section.

29 Section 2. This act shall take effect October 1, 2013.