

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Appropriations Committee
2 Representative DuBose offered the following:

Amendment (with title amendment)

Remove lines 66-91 and insert:

7 nolo contendere to, regardless of adjudication, any violent
8 felony ~~offense~~, or a crime committed in another jurisdiction the
9 elements of which would constitute a violent felony in this
10 state, or a crime committed against the United States which is
11 designated a violent felony, excluding any delinquency
12 disposition;

13 (2) Before the person's wrongful conviction and
14 incarceration, the person was convicted of, or plead guilty or
15 nolo contendere to, regardless of adjudication, more than one
16 felony that is not a violent felony as defined in this chapter,
17 or more than one crime committed in another jurisdiction the

Amendment No. 1

18 elements of which would constitute a felony in this state, or
19 more than one crime committed against the United States which is
20 designated a felony, excluding any delinquency disposition;

21 (3)(2) During the person's wrongful incarceration, the
22 person was convicted of, or pled guilty or nolo contendere to,
23 regardless of adjudication, any violent felony ~~offense~~;

24 (4) During the person's wrongful incarceration, the person
25 was convicted of, or pled guilty or nolo contendere to,
26 regardless of adjudication, more than one felony that is not a
27 violent felony as defined in this chapter;

28 (5)(3) During the person's wrongful incarceration, the
29 person was also serving a concurrent sentence for another felony
30 for which the person was not wrongfully convicted.

31 Section 3. Subsection (2) of section 961.06, Florida
32 Statutes, is amended to read:

33 961.06 Compensation for wrongful incarceration.—

34 (2) In calculating monetary compensation under paragraph
35 (1)(a), a wrongfully incarcerated person who is placed on parole
36 or community supervision while serving the sentence resulting
37 from the wrongful conviction and who commits one violation which
38 is anything less than a violent felony ~~law violation~~ that
39 results in revocation of the parole or community supervision is
40 eligible for compensation for the total number of years
41 incarcerated. A wrongfully incarcerated person who commits one
42 violent ~~a felony law violation~~ that results in revocation of the
43 parole or community supervision is ineligible for any

Amendment No. 1

44 compensation under subsection (1).

45 Section 4. The changes made by this act to sections
46 961.02, 961.04 and 961.06 shall apply only to persons who are
47 determined to be wrongfully incarcerated after the effective
48 date of this act.

49

50

51

52

T I T L E A M E N D M E N T

53

Remove line 16 and insert:

54

ineligible for compensation; providing the changes made by this

55

act to sections 961.02, 961.04 and 961.06 shall apply only to

56

persons who are determined to be wrongfully incarcerated after

57

the effective date of this act. reenacting s.