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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
04/26/2017	.	
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The Committee on Appropriations (Brandes) recommended the following:

1           **Senate Amendment to Amendment (145864) (with directory and**  
2 **title amendments)**

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4           Between lines 1524 and 1525  
5 insert:

6           (8) For an offense listed under this section committed on  
7 or after October 1, 2017, which carries a mandatory minimum  
8 sentence, a court may depart from the applicable mandatory  
9 minimum sentence if, in giving due regard to the nature of the  
10 crime, history, and character of the defendant, and the



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11 defendant's chances of successful rehabilitation, the court  
12 finds compelling reasons on the record that imposition of the  
13 mandatory minimum is not necessary for the protection of the  
14 public. Each month, a court shall submit to the Office of  
15 Economic and Demographic Research of the Legislature the written  
16 reasons in each case in which the court departed from the  
17 mandatory minimum sentence.

18  
19 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

20 And the directory clause is amended as follows:

21 Delete lines 1190 - 1192

22 and insert:

23 Section 6. Paragraphs (c), (d), and (k) of subsection (1)  
24 of section 893.135, Florida Statutes, are amended, and  
25 paragraphs (m) and (n) are added to that subsection, and a new  
26 subsection (8) is added to that section, to read:

27  
28 ===== T I T L E A M E N D M E N T =====

29 And the title is amended as follows:

30 Between lines 2533 and 2534

31 insert:

32 authorizing a court to depart from a mandatory minimum  
33 sentence for drug trafficking if the court finds  
34 compelling reasons that the mandatory minimum sentence  
35 is not necessary for the protection of the public;  
36 requiring a court to submit written reasons for such  
37 departure to the Office of Economic and Demographic  
38 Research;