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576-03257-18

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Criminal and Civil Justice)

A bill to be entitled

An act relating to mandatory sentences; amending s.
893.135, F.S.; authorizing a court to impose a
sentence other than a mandatory minimum term of
imprisonment and mandatory fine for a person convicted
of trafficking if the court makes certain findings on
the record; providing an effective date.

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

Section 1. Present subsections (6) and (7) of section
893.135, Florida Statutes, are redesignated as subsections (7)
and (8), respectively, and a new subsection (6) is added to that
section, to read:

893.135 Trafficking; mandatory sentences; suspension or
reduction of sentences; conspiracy to engage in trafficking.—

(6) Notwithstanding any provision of this section, a court
may impose a sentence for a violation of this section other than
the mandatory minimum term of imprisonment and mandatory fine if
the court finds on the record that all of the following
circumstances exist:

(a) The person did not engage in a continuing criminal
enterprise as defined in s. 893.20(1).

(b) The person did not use or threaten violence or use a
weapon during the commission of the crime.

(c) The person did not cause a death or serious bodily
injury.



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Section 2. This act shall take effect July 1, 2018.