

1 A bill to be entitled
 2 An act relating to compensation for wrongful
 3 incarceration; amending s. 961.04, F.S.; deleting
 4 eligibility requirements relating to a person's
 5 conduct before the person's wrongful conviction or
 6 incarceration; providing an effective date.

7
 8 Be It Enacted by the Legislature of the State of Florida:

9
 10 Section 1. Subsections (1) and (2) of section 961.04,
 11 Florida Statutes, are amended to read:

12 961.04 Eligibility for compensation for wrongful
 13 incarceration.—A wrongfully incarcerated person is not eligible
 14 for compensation under the act if:

15 ~~(1) Before the person's wrongful conviction and~~
 16 ~~incarceration, the person was convicted of, or pled guilty or~~
 17 ~~nolo contendere to, regardless of adjudication, any violent~~
 18 ~~felony, or a crime committed in another jurisdiction the~~
 19 ~~elements of which would constitute a violent felony in this~~
 20 ~~state, or a crime committed against the United States which is~~
 21 ~~designated a violent felony, excluding any delinquency~~
 22 ~~disposition;~~

23 ~~(2) Before the person's wrongful conviction and~~
 24 ~~incarceration, the person was convicted of, or pled guilty or~~
 25 ~~nolo contendere to, regardless of adjudication, more than one~~

HB 259

2020

26 | ~~felony that is not a violent felony, or more than one crime~~
27 | ~~committed in another jurisdiction, the elements of which would~~
28 | ~~constitute a felony in this state, or more than one crime~~
29 | ~~committed against the United States which is designated a~~
30 | ~~felony, excluding any delinquency disposition;~~

31 | Section 2. This act shall take effect July 1, 2020.