

By the Committee on Criminal Justice; and Senators Brandes and Perry

591-02023-20

2020552c1

1 A bill to be entitled
2 An act relating to sentencing; amending s. 775.082,
3 F.S.; revising the threshold of total sentence points
4 below which a court must sentence nonviolent felony
5 offenders who commit certain offenses and are
6 sentenced on or after a specified date to a nonstate
7 prison sanction; providing an effective date.
8

9 Be It Enacted by the Legislature of the State of Florida:
10

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

13 775.082 Penalties; applicability of sentencing structures;
14 mandatory minimum sentences for certain reoffenders previously
15 released from prison.—

16 (10) If a defendant is sentenced ~~for an offense committed~~
17 on or after October 1, 2020, for an offense that ~~July 1, 2009,~~
18 ~~which~~ is a third degree felony but not a forcible felony as
19 defined in s. 776.08, and excluding any third degree felony
20 violation under chapter 810, and if the total sentence points
21 pursuant to s. 921.0024 are 44 ~~22~~ points or fewer, the court
22 must sentence the offender to a nonstate prison sanction.
23 However, if the court makes written findings that a nonstate
24 prison sanction could present a danger to the public, the court
25 may sentence the offender to a state correctional facility
26 pursuant to this section.

27 Section 2. This act shall take effect October 1, 2020.