

By Senator Thurston

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1 A bill to be entitled
2 An act relating to restoration of voting rights;
3 amending s. 98.0751, F.S.; revising the definition of
4 the term "completion of all terms of sentence" to
5 remove a provision requiring full payment of certain
6 fines and fees; conforming provisions to changes made
7 by the act; providing an effective date.
8

9 Be It Enacted by the Legislature of the State of Florida:
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11 Section 1. Paragraph (a) of subsection (2) of section
12 98.0751, Florida Statutes, is amended to read:

13 98.0751 Restoration of voting rights; termination of
14 ineligibility subsequent to a felony conviction.-

15 (2) For purposes of this section, the term:

16 (a) "Completion of all terms of sentence" means any portion
17 of a sentence that is contained in the four corners of the
18 sentencing document, including, but not limited to:

19 1. Release from any term of imprisonment ordered by the
20 court as a part of the sentence;

21 2. Termination from any term of probation or community
22 control ordered by the court as a part of the sentence;

23 3. Fulfillment of any term ordered by the court as a part
24 of the sentence;

25 4. Termination from any term of any supervision, which is
26 monitored by the Florida Commission on Offender Review,
27 including, but not limited to, parole; and

28 5.a. Full payment of restitution ordered to a victim by the
29 court as a part of the sentence. A victim includes, but is not

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30 limited to, a person or persons, the estate or estates thereof,
31 an entity, the state, or the Federal Government.

32 ~~b. Full payment of fines or fees ordered by the court as a~~
33 ~~part of the sentence or that are ordered by the court as a~~
34 ~~condition of any form of supervision, including, but not limited~~
35 ~~to, probation, community control, or parole.~~

36 ~~b.e.~~ The financial obligations required under sub-
37 subparagraph a. ~~or sub-subparagraph b.~~ include only the amount
38 specifically ordered by the court as part of the sentence and do
39 not include any fines, fees, or costs that accrue after the date
40 the obligation is ordered as a part of the sentence.

41 ~~c.d.~~ For the limited purpose of addressing a plea for
42 relief pursuant to sub-subparagraph d. ~~sub-subparagraph e.~~ and
43 notwithstanding any other statute, rule, or provision of law, a
44 court may not be prohibited from modifying the financial
45 obligations of an original sentence required under sub-
46 subparagraph a. ~~or sub-subparagraph b.~~ Such modification shall
47 not infringe on a defendant's or a victim's rights provided in
48 the United States Constitution or the State Constitution.

49 ~~d.e.~~ Financial obligations required under sub-subparagraph
50 a. ~~or sub-subparagraph b.~~ are considered completed in the
51 following manner or in any combination thereof:

52 (I) Actual payment of the obligation in full.

53 (II) Upon the payee's approval, either through appearance
54 in open court or through the production of a notarized consent
55 by the payee, the termination by the court of any financial
56 obligation to a payee, including, but not limited to, a victim,
57 or the court.

58 (III) Completion of all community service hours, if the

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59 court, unless otherwise prohibited by law or the State
60 Constitution, converts the financial obligation to community
61 service.

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63 A term required to be completed in accordance with this
64 paragraph shall be deemed completed if the court modifies the
65 original sentencing order to no longer require completion of
66 such term. The requirement to pay any financial obligation
67 specified in this paragraph is not deemed completed upon
68 conversion to a civil lien.

69 Section 2. This act shall take effect July 1, 2021.