

1                                   A bill to be entitled  
 2           An act relating to sentencing calculations; amending  
 3           s. 921.0024, F.S.; providing that sentencing points  
 4           expire after a specified period and cannot be used in  
 5           calculations; amending s. 924.051, F.S.; providing for  
 6           petitions to recalculate sentences due to changes in  
 7           the law in certain circumstances; providing an  
 8           effective date.

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

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12           Section 1. Subsection (8) is added to section 921.0024,  
 13 Florida Statutes, to read:

14           921.0024 Criminal Punishment Code; worksheet computations;  
 15 scoresheets.—

16           (8) Ten years after a defendant has completed the  
 17 incarceration portion of his or her sentence for an offense, the  
 18 sentence points assigned for that offense expire and may not be  
 19 included in any sentencing calculations or used to enhance  
 20 sentencing.

21           Section 2. Paragraph (d) is added to subsection (6) of  
 22 section 924.051, Florida Statutes, to read:

23           924.051 Terms and conditions of appeals and collateral  
 24 review in criminal cases.—

25           (6) In a noncapital case, a petition or motion for

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26 collateral or other postconviction relief may not be considered  
27 if it is filed more than 2 years after the judgment and sentence  
28 became final, unless the petition or motion alleges that:

29 (d) Notwithstanding s. 775.022, if the sentencing points  
30 assessed for a particular offense for which an individual was  
31 assigned points have been reduced or any other part of the  
32 sentencing calculation used when sentencing for particular  
33 offenses has been changed by a new statute, the individual may  
34 petition the sentencing court for a new sentencing calculation  
35 under the revised provisions.

36 Section 3. This act shall take effect July 1, 2023.