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CS/CS/HB 1455

2025 Legislature

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An act relating to sexual offenses by persons previously convicted of sexual offenses; creating s. 794.0116, F.S.; providing mandatory minimum sentences for specified sexual offenses when committed by persons who have previously committed specified sexual offenses; providing requirements for such sentences; providing an effective date.

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

Section 1. Section 794.0116, Florida Statutes, is created to read:

794.0116 Sexual offenses by persons previously convicted of sexual offenses.—

(1) A person who was previously convicted of or had adjudication withheld for an offense specified in s. 943.0435(1)(h)1.a. and commits a violation of s. 800.04(5); s. 825.1025(3); s. 827.071(2), (3), (4), or (5)(a); s. 847.0135; s. 847.0137; or s. 847.0145 shall be sentenced to a mandatory minimum term of imprisonment as follows:

	<u>Statute</u>	<u>Mandatory Minimum</u>
(a)	<u>800.04(5)</u>	<u>10 years</u>

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24	<u>(b)</u>	<u>825.1025 (3)</u>	<u>10 years</u>
25	<u>(c)</u>	<u>827.071 (2)</u>	<u>20 years</u>
26	<u>(d)</u>	<u>827.071 (3)</u>	<u>20 years</u>
27	<u>(e)</u>	<u>827.071 (4)</u>	<u>15 years</u>
28	<u>(f)</u>	<u>827.071 (5) (a)</u>	<u>10 years</u>
29	<u>(g)</u>	<u>847.0135</u>	<u>10 years</u>
30	<u>(h)</u>	<u>847.0137</u>	<u>10 years</u>
31	<u>(i)</u>	<u>847.0145</u>	<u>20 years</u>
32	<u>(2) Notwithstanding s. 775.082(3), chapter 958, any other</u>		
33	<u>law, or any interpretation or construction thereof, a person</u>		
34	<u>subject to sentencing under this section must be sentenced to</u>		
35	<u>the mandatory term of imprisonment provided under this section.</u>		
36	<u>If the mandatory minimum term of imprisonment imposed under this</u>		
37	<u>section exceeds the maximum sentence authorized under s.</u>		
38	<u>775.082, s. 775.084, or chapter 921, the mandatory minimum term</u>		
39	<u>of imprisonment under this section must be imposed. If the</u>		
40	<u>mandatory minimum term of imprisonment under this section is</u>		

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41 less than the sentence that could be imposed under s. 775.082,  
42 s. 775.084, or chapter 921, the sentence imposed must include  
43 the mandatory minimum term of imprisonment under this section.

44 (3) A defendant sentenced to a mandatory minimum term of  
45 imprisonment under this section is not eligible for statutory  
46 gain-time under s. 944.275 or any form of discretionary early  
47 release, other than pardon or executive clemency, or conditional  
48 medical release under s. 947.149, before serving the minimum  
49 sentence.

50 Section 2. This act shall take effect October 1, 2025.