



224004

LEGISLATIVE ACTION

Senate

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House

The Committee on Criminal Justice (Bradley) recommended the following:

1 **Senate Amendment to Amendment (536248) (with directory and**
2 **title amendments)**

3
4 Delete lines 13 - 41
5 and insert:

6 (e) For a felony of the third degree, by a term of
7 imprisonment not exceeding 5 years.

8 (f) Effective for offenses committed on or after October 1,
9 2015, for persons who are not sentenced to a term of
10 imprisonment, the court shall impose a mandatory 10-year sex



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11 offender supervision term for any person who is convicted of an
12 offense listed in s. 943.0453(1) (a)1.a.(I), or s. 775.21(4) (a)
13 and has a prior conviction of an offense listed in s.
14 943.0435(1) (a)1.a.(I), or s. 775.21(4) (a). For purposes of this
15 section, "convicted" or "conviction" means that there has been a
16 determination of guilt as a result of a trial or plea of guilty
17 or nolo contendere, regardless of whether adjudication was
18 withheld. This subsection does not preclude a court from
19 imposing a greater sentence of incarceration as authorized by
20 law, pursuant to s. 775.084 or any other provision of law.

21 (g) Effective for offenses committed on or after October 1,
22 2015, for persons who are sentenced to a term of imprisonment,
23 the court shall impose a split sentence for any person who is
24 convicted of an offense listed in s. 943.0453(1) (a)1.a.(I), or
25 s. 775.21(4) (a) and has a prior conviction of an offense listed
26 in s. 943.0435(1) (a)1.a.(I), or s. 775.21(4) (a). A mandatory 10-
27 year sex offender supervision term shall follow the period of
28 incarceration. Persons sentenced under this section may be
29 sentenced to the statutory maximum term of imprisonment in
30 addition to the mandatory 10-year sex offender supervision term.
31 Persons sentenced under this subsection shall have electronic
32 monitoring imposed as a condition of supervision for the entire
33 term of supervision. This subsection does not preclude a court
34 from imposing a greater sentence of incarceration as authorized
35 by law, pursuant to s. 775.084 or any other provision of law.

36
37 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

38 And the directory clause is amended as follows:

39 Delete lines 5 - 7



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40 and insert:

41 Section 1. Paragraphs (f) and (g) are added to subsection
42 (3) of section 775.082, Florida Statutes, to read:

43

44 ===== T I T L E A M E N D M E N T =====

45 And the title is amended as follows:

46 Delete lines 103 - 111

47 and insert:

48 F.S.; providing that a repeat sex offender who is not
49 sentenced to prison must be sentenced to a 10-year
50 mandatory term of sex offender supervision; providing
51 that a repeat sex offender who is sentenced to prison
52 must be sentenced to a split sentence in which a 10
53 year mandatory term of sex offender supervision
54 follows the offender's prison sentence; requiring
55 electronic monitoring for a repeat sex offender who
56 receives a split sentence; providing for greater
57 sentencing if authorized by law;