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LEGISLATIVE ACTION

Senate

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House

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

1 **Senate Substitute for Amendment (962638) (with title**
2 **amendment)**

3
4 Delete lines 54 - 96

5 and insert:

6 that felony restored five years after completion of his or her
7 sentence.

8 (2) For purposes of this section, the term "completion of
9 sentence" occurs when a person is released from incarceration
10 upon expiration of his or her sentence and has completed all



329812

11 other terms and conditions of the sentence or subsequent
12 supervision or, if the person has not been incarcerated for the
13 felony offense, has completed all terms and conditions of
14 supervision imposed on him or her.

15 (3) (a) A person is ineligible for restoration of civil
16 rights under this section if he or she was convicted of a crime
17 defined by any of the following:

18 1. Section 782.04, relating to murder.

19 2. Section 782.07(3), relating to aggravated manslaughter
20 of a child.

21 3. Section 794.011, relating to sexual battery.

22 4. Section 826.04, relating to incest.

23 5. Section 827.071, relating to sexual performance by a
24 child.

25 6. Section 847.0145, relating to selling or buying of
26 minors, otherwise transferring or obtaining custody or control
27 of minors, or offering to do the same.

28 (b) A person is ineligible for restoration of civil rights
29 under this section if he or she was convicted of treason or if
30 his or her impeachment has resulted in conviction, as referred
31 to in s. 8, Art. IV of the State Constitution.

32 (4) This section does not impair the ability of a person
33 convicted of a felony to apply for executive clemency under s.
34 8, Art. IV of the State Constitution.

35 (5) A court shall, before accepting a plea of guilty or
36 nolo contendere to a felony without trial or, if a trial is
37 held, before imposing sentence for a felony, notify the
38 defendant as follows:

39 (a) If the felony is described in subsection (3), that



329812

40 conviction will result in permanent loss of civil rights unless
41 he or she receives executive clemency under s. 8, Art. IV of the
42 State Constitution.

43 (b) If the felony is not described in subsection (3), that
44 conviction will result in loss of civil rights until the
45 defendant completes his or her sentence and that civil rights
46 will be restored thereafter.

47
48 ===== T I T L E A M E N D M E N T =====

49 And the title is amended as follows:

50 Delete lines 7 - 8

51 and insert:

52 rights five years after completion of his or her
53 sentence of