

By Senator Bracy

11-00851-20

20201038__

1 A bill to be entitled
2 An act relating to disposition of juvenile offenses;
3 amending s. 921.0021, F.S.; redefining the term "prior
4 record"; providing an effective date.

5
6 Be It Enacted by the Legislature of the State of Florida:

7
8 Section 1. Subsection (5) of section 921.0021, Florida
9 Statutes, is amended to read:

10 921.0021 Definitions.—As used in this chapter, for any
11 felony offense, except any capital felony, committed on or after
12 October 1, 1998, the term:

13 (5) "Prior record" means a conviction for a crime committed
14 by the offender, as an adult or a juvenile, before ~~prior to~~ the
15 time of the primary offense. Convictions by federal, out-of-
16 state, military, or foreign courts, and convictions for
17 violations of county or municipal ordinances that incorporate by
18 reference a penalty under state law, are included in the
19 offender's prior record. Convictions for offenses committed by
20 the offender more than 10 years before the primary offense are
21 not included in the offender's prior record if the offender has
22 not been convicted of any other crime for a period of 10
23 consecutive years from the most recent date of release from
24 confinement, supervision, or sanction, whichever is later, to
25 the date of the primary offense. Juvenile dispositions of
26 offenses committed by the offender ~~within 5 years before the~~
27 primary offense are not included in the offender's prior record,
28 except that ~~when the offense would have been a crime had the~~
29 ~~offender been an adult rather than a juvenile.~~ juvenile

11-00851-20

20201038__

30 dispositions of sexual offenses committed by the offender which
31 were committed 5 years or more before the primary offense are
32 included in the offender's prior record if the offender has not
33 maintained a conviction-free record, either as an adult or a
34 juvenile, for a period of 5 consecutive years from the most
35 recent date of release from confinement, supervision, or
36 sanction, whichever is later, to the date of the primary
37 offense.

38 Section 2. This act shall take effect July 1, 2020.