

THE FLORIDA SENATE
2016 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/SB 228 — Mandatory Minimum Sentences

by Criminal Justice Committee and Senators Bean, Bradley, and Evers

The bill (Chapter 2016-7, L.O.F.) eliminates the minimum mandatory sentences for aggravated assault in the 10-20-Life statute by deleting aggravated assault from the list of crimes to which 10-20-Life applies. As a result, persons who are convicted of only an aggravated assault offense will no longer qualify for the 10-20-Life penalties.

The bill repeals the exception for sentencing in aggravated assault cases enacted in 2014. This exception allows the sentencing court to deviate from the minimum mandatory sentences for crimes of aggravated assault if the court makes certain statutory findings based upon mitigating evidence presented at sentencing. Under the bill, because a person convicted of only aggravated assault will no longer qualify for 10-20-Life sentencing, the repealed language would have no further application in cases of aggravated assault committed after the effective date of the bill.

The 10-20-Life statute is referenced in ss. 27.366, 921.0022(2), 921.0024(1)(b), 947.146(3)(b), and 985.557(2)(d), F.S., therefore those sections are amended or reenacted to incorporate or conform the amendments made to s. 775.087, F.S., by the bill.

These provisions were approved by the Governor and take effect July 1, 2016.

Vote: Senate 38-0; House 119-0