

## HOUSE MESSAGE SUMMARY

BILL: CS/HB 121, 2nd. Eng. (CS/SB 1746) [H0121.HMS]  
SPONSOR: Corrections Committee, Crist and others  
(Criminal Justice Committee, Lee and others)  
SUBJECT: Sentencing/ Three-Strike Violent Felony Offender  
PREPARED BY: Senate Committee on Criminal Justice  
DATE: April 30, 1999

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### I. Amendments Contained in Message

**House Amendment 1 - 902973 to Senate Amendment - 715986** (body)

**House Amendment 2 - 982453 to Senate Amendment - 715986** (body with title)

**House Amendment 3 - 292749 to Senate Amendment - 715986** (body with title)

### II. Summary of Amendments Contained in Message

**House Amendment 1** is a technical amendment to remove an incorrect word.

**House Amendment 2** deletes new language that provides that the three-time violent felony offender must serve 100 percent of the court-imposed sentence. It appears that the purpose of this amendment is to provide that this offender is eligible for gain-time. However, there is no specific authority for gain-time eligibility for the three-time violent felony offender. Further, no new language specifically authorizes gain-time eligibility. Therefore, it could be interpreted that the three-time violent felony offender may be required to serve 100 percent of his or her sentence, regardless of whether such service is specified.

**House Amendment 3** deletes new language that provides that persons convicted of a drug trafficking offense which is a first degree felony requiring life imprisonment are ineligible for any form of gain-time.