

HB 481

2018

1 A bill to be entitled

2 An act relating to mandatory minimum sentences for  
3 controlled substance offenses; amending s. 893.135,  
4 F.S.; providing that mandatory minimum sentences for  
5 controlled substance offenses may be reduced by up to  
6 a specified percentage of the mandatory minimum for  
7 offenders meeting certain criteria; providing an  
8 effective date.

9  
10 Be It Enacted by the Legislature of the State of Florida:

11  
12 Section 1. Subsection (8) is added to section 893.135,  
13 Florida Statutes, to read:

14 893.135 Trafficking; mandatory sentences; suspension or  
15 reduction of sentences; conspiracy to engage in trafficking.—

16 (8) A person who has been convicted of an offense under  
17 this section that requires a mandatory minimum prison sentence  
18 may, at the discretion of the court, receive a sentence of  
19 imprisonment that is no less than one-third of the sentence  
20 prescribed by the applicable statute, provided the court finds  
21 on the record that:

22 (a) The offender has not been previously convicted of  
23 violating any provision of s. 893.135 and has no previous  
24 conviction for a crime of violence as defined in s.  
25 784.046(1) (a).

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26        (b) The offender did not engage in a continuing criminal  
27 enterprise as described in s. 893.20(1).

28        (c) The offender did not use or threaten violence or use a  
29 weapon during the commission of the offense.

30        (d) The offense did not result in a death or serious  
31 bodily injury of a person not a party to the offense.

32        Section 2. This act shall take effect July 1, 2018.