Representative Hart offered the following:

Substitute Amendment for Amendment (887615) (with title amendment)

Between lines 4304 and 4305, insert:

Section 55. Effective July 1, 2019, paragraphs (b) and (f) of subsection (4) of section 944.275, Florida Statutes, are amended to read:

944.275 Gain-time.—

(4)

(b) For each month in which an inmate works diligently, participates in training, uses time constructively, or otherwise engages in positive activities, the department may grant
incentive gain-time in accordance with this paragraph. The rate of incentive gain-time in effect on the date the inmate committed the offense that which resulted in his or her incarceration shall be the inmate's rate of eligibility to earn incentive gain-time throughout the period of incarceration and may shall not be altered by a subsequent change in the severity level of the offense for which the inmate was sentenced.

1. For sentences imposed for offenses committed before prior to January 1, 1994, up to 20 days of incentive gain-time may be granted. If granted, such gain-time shall be credited and applied monthly.

2. For sentences imposed for offenses committed on or after January 1, 1994, and before October 1, 1995:
   a. For offenses ranked in offense severity levels 1 through 7, under former s. 921.0012 or former s. 921.0013, up to 25 days of incentive gain-time may be granted. If granted, such gain-time shall be credited and applied monthly.
   b. For offenses ranked in offense severity levels 8, 9, and 10, under former s. 921.0012 or former s. 921.0013, up to 20 days of incentive gain-time may be granted. If granted, such gain-time shall be credited and applied monthly.

3. For sentences imposed for offenses committed on or after October 1, 1995, the department may grant up to 10 days per month of incentive gain-time except that:
a. If the offense is a nonviolent felony, as defined in s. 948.08(6), the prisoner is not eligible to earn any type of gain-time in an amount that would cause a sentence to expire, end, or terminate, or that would result in a prisoner's release, before he or she serves a minimum of 65 percent of the sentence imposed. For purposes of this sub-subparagraph, credits awarded by the court for time physically incarcerated must be credited toward satisfaction of 65 percent of the sentence imposed. A prisoner who is granted incentive gain-time pursuant to this sub-subparagraph may not accumulate further gain-time awards at any point when the tentative release date is the same as that date at which the prisoner will have served 65 percent of the sentence imposed. State prisoners sentenced to life imprisonment must be incarcerated for the rest of their natural lives, unless granted pardon or clemency.

b. If the offense is not a nonviolent felony, as defined in s. 948.08(6), the prisoner is not eligible to earn any type of gain-time in an amount that would cause a sentence to expire, end, or terminate, or that would result in a prisoner's release, before he or she serves a minimum of 85 percent of the sentence imposed. For purposes of this sub-subparagraph, credits awarded by the court for time physically incarcerated must be credited toward satisfaction of 85 percent of the sentence imposed. A prisoner who is granted incentive gain-time pursuant to this sub-subparagraph may not accumulate further gain-time awards at any point when the tentative release date is the same as that date at which the prisoner will have served 85 percent of the sentence imposed.
any point when the tentative release date is the same as that
date at which the prisoner will have served 85 percent of the
sentence imposed. State prisoners sentenced to life imprisonment
must be incarcerated for the rest of their natural lives, unless

(f) An inmate who is subject to subparagraph (b)3. is not
eligible to earn or receive gain-time under paragraph (a),
paragraph (b), paragraph (c), or paragraph (d) or any other type
of gain-time in an amount that would cause a sentence to expire,
end, or terminate, or that would result in a prisoner's release,
prior to serving a minimum of 85 percent of the sentence
imposed. For purposes of this paragraph, credits awarded by the
court for time physically incarcerated shall be credited toward
satisfaction of 85 percent of the sentence imposed. Except as
provided by this section, a prisoner may not accumulate further
gain-time awards at any point when the tentative release date is
the same as that date at which the prisoner will have served 85
percent of the sentence imposed. State prisoners sentenced to
life imprisonment shall be incarcerated for the rest of their
natural lives, unless granted pardon or clemency.
Between lines 302 and 303, insert:

amending s. 944.275, F.S.; revising the incentive gain-time that
the Department of Corrections may grant a prisoner for offenses
committed on or after a specified date;