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LEGISLATIVE ACTION

Senate

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House

The Committee on Criminal Justice (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete lines 86 - 111

and insert:

~~(b) A person sentenced under paragraph (a) shall be released only by expiration of sentence and shall not be eligible for parole, control release, or any form of early release. Any person sentenced under paragraph (a) must serve 100 percent of the court-imposed sentence.~~

(b)(e) Nothing in This subsection does not shall prevent a



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11 court from imposing a greater sentence of incarceration as
12 authorized by law, pursuant to s. 775.084 or any other ~~provision~~
13 ~~of~~ law.

14 (c)(d)1. It is the intent of the Legislature to
15 retroactively apply the amendments to this subsection which are
16 effective on July 1, 2020.

17 2. As used in this paragraph, the term "former s.
18 775.082(9)" means s. 775.082(9) as it existed before the
19 amendment of this subsection, which took effect on July 1, 2020.

20 3. A person who qualified as a prison releasee reoffender
21 before July 1, 2020, and who was not sentenced as a prison
22 releasee reoffender before July 1, 2020, may not be sentenced as
23 such under former s. 775.082(9). Such person, if sentenced as a
24 prison releasee reoffender, must be sentenced as provided in
25 paragraph (a).

26 4. A person who qualified as a prison releasee reoffender
27 before July 1, 2020, who was sentenced as such before July 1,
28 2020, to a mandatory minimum term of imprisonment pursuant to
29 former s. 775.082(9), and who is serving such mandatory minimum
30 term of imprisonment on or after July 1, 2020, must be

31
32 ===== T I T L E A M E N D M E N T =====

33 And the title is amended as follows:

34 Delete lines 4 - 6

35 and insert:

36 prison releasee reoffenders upon proof from a state
37 attorney which establishes that a defendant is a
38 prison releasee reoffender; deleting a provision that
39 prohibits a prison releasee reoffender from



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40 eligibility for any form of early release and that
41 requires a prison releasee reoffender to serve 100
42 percent of the court-imposed sentence; providing
43 legislative