



210990

LEGISLATIVE ACTION

Senate

.
. .
. .
. .
. .

House

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

Senate Amendment (with title amendment)

Delete lines 32 - 49

and insert:

(1) As used in this section, the term "violent felony" means the commission of, an attempt to commit, or a conspiracy to commit any offense enumerated in s. 775.084(1)(c)1., s. 827.03, 827.071, or 827.10.

(2) A prisoner sentenced to a state correctional institution who is a pregnant prisoner as defined in s. 944.241



210990

11 or who is the mother of a child 3 years of age or younger at the
12 time the offense or offenses were committed is eligible to earn
13 or receive gain-time under s. 944.275 in an amount that would
14 cause the sentence to expire, end, or terminate, or that would
15 result in the prisoner's release, after serving 65 percent of
16 the sentence imposed if:

17 (a) No offense for which the prisoner was convicted is a
18 violent felony;

19 (b) The prisoner has demonstrated good behavior while
20 incarcerated; and

21 (c) The prisoner has completed at least one educational or
22 rehabilitative program while incarcerated, if such education or
23 rehabilitative program was available. However, if the prisoner's
24 participation in an educational or rehabilitative program is due
25 to a reason other than the prisoner's voluntary termination or
26 expulsion from the program for cause, the prisoner's
27 participation in the program shall be considered as completion
28 of the program for purposes of this paragraph.

29 (3) A pregnant prisoner or a prisoner who is the mother of
30 a child 3 years of age or younger at the time the offense or
31 offenses were committed becomes ineligible for release under
32 this section if the qualifying pregnancy is subsequently
33 terminated prior to the birth of an infant, or the woman is no
34 longer the legal parent of a qualifying child due to an adoption
35 under chapter 63 or termination of parental rights under chapter
36 39, or similar proceedings in another jurisdiction.

37

38

39

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



210990

40 And the title is amended as follows:

41 Delete line 10

42 and insert:

43 serving 65 percent of the sentence imposed; providing
44 that a pregnant prisoner or a prisoner who is the
45 mother of a child of a certain age is ineligible under
46 certain circumstances to earn or receive gain-time in
47 an amount that would cause her sentence to expire,
48 end, or terminate after serving 65 percent of the
49 sentence imposed; amending