

By the Committee on Criminal Justice; and Senator Martin

591-02288-25

2025716c1

A bill to be entitled
An act relating to sexual offenses by persons
previously convicted of sexual offenses; creating s.
794.0116, F.S.; providing mandatory minimum terms of
imprisonment for specified sexual offenses when
committed by registered sexual offenders or sexual
predators; providing requirements for such sentences;
providing an effective date.

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

Section 1. Section 794.0116, Florida Statutes, is created
to read:

794.0116 Sexual offenses by registered sexual offenders or
sexual predators; mandatory sentencing.—

(1) A person who was previously convicted of or had
adjudication withheld for any offense listed in s. 775.21 or s.
943.0435 and commits a violation of s. 787.025(2)(c); s.
794.011, excluding s. 794.011(10); s. 800.04(4) or (5); s.
825.1025(2) or (3); s. 827.071; or s. 847.0145 shall be
sentenced to a mandatory minimum term of imprisonment as
follows:

<u>Statute</u>	<u>Mandatory Minimum</u>
<u>787.025(2)(c)</u>	<u>10 years</u>
<u>794.011, excluding s. 794.011(10)</u>	<u>10 years</u>

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800.04(4) or (5) 10 years

825.1025(2) or (3) 10 years

827.071 (victims older 10 years
than 12 years of age)

827.071 (victim 12 years 20 years
of age or younger)

847.0145 10 years

(2) Notwithstanding s. 775.082(3), chapter 958, any other law, or any interpretation or construction thereof, a person subject to sentencing under this section must be sentenced to the mandatory term of imprisonment provided under this section. If the mandatory minimum term of imprisonment imposed under this section exceeds the maximum sentence authorized under s. 775.082, s. 775.084, or chapter 921, the mandatory minimum term of imprisonment under this section must be imposed. If the mandatory minimum term of imprisonment under this section is less than the sentence that could be imposed under s. 775.082, s. 775.084, or chapter 921, the sentence imposed must include the mandatory minimum term of imprisonment under this section.

(3) A defendant sentenced to a mandatory minimum term of imprisonment under this section is not eligible for statutory gain-time under s. 944.275 or any form of discretionary early release, other than pardon or executive clemency, or conditional

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48 medical release under s. 947.149, before serving the minimum
49 sentence.

50 Section 2. This act shall take effect October 1, 2025.