

FLORIDA HOUSE OF REPRESENTATIVES

BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: [HB 181](#)

TITLE: Objective Parole Guidelines

SPONSOR(S): Hart

COMPANION BILL: None

LINKED BILLS: None

RELATED BILLS: [SB 964](#) (Bernard)

Committee References

[Criminal Justice](#)



[Judiciary](#)

SUMMARY

Effect of the Bill:

HB 181 revises requirements for objective parole guidelines (guidelines) that the Florida Commission on Offender Review (FCOR) is required to develop and use in making parole determinations. The bill specifies that the guidelines must determine the likelihood of favorable parole outcome by identifying an inmate's use of vocation, education, and self-betterment programs while he or she is incarcerated in the Department of Corrections. The bill also prohibits FCOR from aggravating or aggregating an inmate's sentence in establishing a presumptive parole release date. The bill requires a copy of a statistical analysis of FCOR actions be provided to the President of the Senate and the Speaker of the House of Representatives.

Fiscal or Economic Impact:

The bill may have a significant negative fiscal impact. According to FCOR, if the provisions in the bill are applied retroactively, FCOR will be required to reinterview the approximately 3,000 inmates who are parole eligible and make a parole decision in each inmate's case. However, if the provisions in the bill are determined to be prospective, the fiscal impact of the bill is indeterminate.

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ANALYSIS

EFFECT OF THE BILL:

HB 181 revises requirements for [objective parole guidelines](#) developed by the Florida Commission on Offender Review (FCOR). The bill requires that the objective parole guidelines be based on the seriousness of the inmate's offense and the likelihood of favorable parole outcome *by identifying an inmate's use of vocation, education, and self-betterment programs and courses while he or she was incarcerated in the Department of Corrections*. The bill also specifies that, for purposes of determining a presumptive parole release date, FCOR may not aggravate or aggregate an inmate's sentence if he or she was sentenced to consecutive sentences. (Section [1](#))

The bill requires that a statistical analysis that is currently performed by FCOR on at least a yearly basis must also be provided to the President of the Senate and the Speaker of the House of Representatives. (Section [1](#))

The effective date of the bill is July 1, 2025. (Section [2](#))

STORAGE NAME: h0181.CRM

DATE: 3/24/2025

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill may have a significant negative fiscal impact. According to FCOR, if the provisions in the bill are applied retroactively, FCOR will be required to conduct new initial interviews with the approximately 3,000 inmates who are eligible for parole and make a parole decision in each inmate's case.¹ However, if the provisions in the bill are determined to be prospective, the fiscal impact of the bill is indeterminate.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Parole

Generally, parole refers to the discretionary release of an inmate from incarceration in the Florida Department of Corrections (DOC) to serve the remainder of his or her sentence under supervision by the Florida Commission on Offender Review (FCOR).² Inmates who were convicted of the following offenses are currently eligible for parole:

- Any felony committed prior to October 1, 1983, or those who elected to be sentenced "outside the guidelines" for felonies committed prior to July 1, 1984;
- All capital felonies committed prior to October 1, 1995, except:
 - Murder or felony murder committed after May 25, 1994;
 - Making, possessing, throwing, placing, or discharging a destructive device or attempt to do so which results in the death of another person after May 25, 1994;
 - First degree murder of a law enforcement officer, correctional officer, state attorney, or assistant state attorney committed after January 1, 1990; and
 - First degree murder of a justice or judge committed after October 1, 1990;
- Any continuing criminal enterprise committed before January 1, 1994; and
- Any attempted murder of a law enforcement officer committed between October 1, 1988, and October 1, 1995.

As of June 30, 2023, there were 3,498 inmates who were incarcerated in DOC who were eligible for parole.³

Objective Parole Guidelines

Section 947.165, F.S., requires FCOR to develop and implement objective parole guidelines (guidelines) and use such guidelines to make parole decisions. The guidelines must:

- Be developed according to an acceptable research method and must be based on the seriousness of an inmate's offense and the likelihood of a favorable parole outcome.
- Require FCOR, if an inmate was sentenced to serve consecutive sentences, to either aggregate⁴ the sentences or apply an "aggravator"⁵ when determining an inmate's presumptive parole release date.

At least once per year, FCOR is required to review the guidelines and, after using a statistical analysis of FCOR parole actions, make necessary revisions to the guidelines.⁶

¹ Florida Commission on Offender Review, Agency Analysis of 2025 House Bill 181, p. 2 (Feb.5, 2025).

² Florida Commission on Offender Review, *Annual Report 2022-2023*, <https://www.fcor.state.fl.us/docs/reports/Annual%20Report%20%2022-23%20-%20Final.pdf> (last visited Mar. 24, 2025).

³ *Id.*

⁴ "Aggregate" means a process to separate multiple criminal episodes and score each single episode by determining the salient factor score, severity of offense behavior, presence of aggravating or mitigating circumstances and assess a number of months of incarceration for each scored episode. The total of months for each scored episode is then aggregated (added together) for the establishment of a presumptive parole release date. [R. 23-21.002\(2\)](#).

⁵ "Aggravate" means to add a number of months to an established number of months from the matrix time range. [R. 23-21.002\(1\)](#).

⁶ [S. 947.165\(2\), F.S.](#)

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Criminal Justice Subcommittee			Hall	Padgett
Judiciary Committee				