

1 A bill to be entitled
 2 An act relating to sentencing of offenders; amending
 3 s. 775.082, F.S.; revising the number of sentencing
 4 points the offender might accumulate below which the
 5 court must sentence the offender to a nonstate prison
 6 sanction; providing an effective date.

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

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 10 Section 1. Subsection (10) of section 775.082, Florida
 11 Statutes, is amended to read:

12 775.082 Penalties; applicability of sentencing structures;
 13 mandatory minimum sentences for certain reoffenders previously
 14 released from prison.—

15 (10) If a defendant is sentenced for an offense committed
 16 on or after July 1, 2009, which is a third degree felony but not
 17 a forcible felony as defined in s. 776.08, and excluding any
 18 third degree felony violation under chapter 810, and if the
 19 total sentence points pursuant to s. 921.0024 are 44 ~~22~~ points
 20 or fewer, the court must sentence the offender to a nonstate
 21 prison sanction. However, if the court makes written findings
 22 that a nonstate prison sanction could present a danger to the
 23 public, the court may sentence the offender to a state
 24 correctional facility pursuant to this section.

25 Section 2. This act shall take effect October 1, 2013.