

HB 881 – Mandatory Minimum Sentencing (Identical SB 1092)

This bill adds a subsection to s. 775.087, F.S. (10-20-Life) which provides that a judge may impose a sentence less than the mandatory minimum if the unique circumstances of the case indicate that the offender does not pose a threat to the public and the minimum term does not fulfill the goals of punishment and other sentencing criteria.

Factors that the judge shall consider include the defendant's history as a survivor of domestic violence and the defendant's mental health.

Since the court's decision to depart from imposing a minimum mandatory sentence under s. 775.087, F.S. is discretionary, it is not possible to determine the impact that this bill would have on prison beds.

CONFERENCE ADOPTED ESTIMATE: Negative Indeterminate

Requested by: House & Senate