

House Bill No. 677

An act relating to sentencing; providing a short title; creating the “Sexual Predator Prosecution Act of 2000”; amending s. 921.16, F.S.; requiring any sentence for sexual battery or murder to be imposed consecutively to any other sentence for sexual battery or murder which arose out of a separate criminal episode; amending s. 921.161, F.S.; authorizing the custodian of the local jail to provide certain written certification to the Department of Corrections when delivering a prisoner into the custody of the department; providing an effective date.

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

Section 1. Short title.—This act may be cited as the “Sexual Predator Prosecution Act of 2000.”

Section 2. Subsection (1) of section 921.16, Florida Statutes, is amended to read:

921.16 When sentences to be concurrent and when consecutive.—

(1) A defendant convicted of two or more offenses charged in the same indictment, information, or affidavit or in consolidated indictments, informations, or affidavits shall serve the sentences of imprisonment concurrently unless the court directs that two or more of the sentences be served consecutively. Sentences of imprisonment for offenses not charged in the same indictment, information, or affidavit shall be served consecutively unless the court directs that two or more of the sentences be served concurrently. Any sentence for sexual battery as defined in chapter 794 or murder as defined in s.782.04 must be imposed consecutively to any other sentence for sexual battery or murder which arose out of a separate criminal episode or transaction.

Section 3. Section 921.161, Florida Statutes, is amended to read:

921.161 Sentence not to run until imposed; credit for county jail time after sentence; certificate of custodian of jail ~~sheriff~~.—

(1) A sentence of imprisonment shall not begin to run before the date it is imposed, but the court imposing a sentence shall allow a defendant credit for all of the time she or he spent in the county jail before sentence. The credit must be for a specified period of time and shall be provided for in the sentence.

(2) In addition to other credits, a person sentenced to imprisonment in custody of the Department of Corrections shall receive credit on her or his sentence for all time spent between sentencing and being placed in custody of the department. When delivering a prisoner to the department, the custodian of the local jail ~~sheriff~~ shall certify to it in writing:

- (a) The date the sentence was imposed and the date the prisoner was delivered to the department.
- (b) The dates of any periods after sentence the prisoner was at liberty on bond.
- (c) The dates and reasons for any other times the prisoner was at liberty after sentence.
- (d) The offender-based transaction system number or numbers from the uniform arrest report or reports established pursuant to s. 943.05(2).

The certificate shall be prima facie evidence of the facts certified.

Section 4. This act shall take effect October 1, 2000.

Approved by the Governor June 2, 2000.

Filed in Office Secretary of State June 2, 2000.