SENATE AMENDMENT 1,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 1999 SENATE BILL 237

November 10, 1999 – Offered by Senator GEORGE.

1   At the locations indicated, amend the substitute amendment as follows:

2   **1.** Page 75, line 25: after that line insert:

3   "**SECTION 204m.** 758.19 (8) of the statutes is created to read:

4   758.19 **(8)** By July 1, 2000, the director of state courts shall promulgate rules

5   that establish a procedure by which a sentencing court may modify a bifurcated

6   sentence under s. 973.01 (7m) and that specify the factors that a court may consider

7   when deciding whether to modify a bifurcated sentence. The rules shall provide that

8   a court may modify a bifurcated sentence under s. 973.01 (7m) on its own motion, on

9   a motion of the department of corrections or on a motion of the person serving the

10 sentence. The rules shall also provide that a court and the department of corrections

11 may make a motion to modify a bifurcated sentence at any time and that a person

12 serving a bifurcated sentence may make a motion to modify the bifurcated sentence

1   that he or she is serving if at least 12 months have elapsed since the bifurcated

2   sentence was imposed or since the most recent motion to modify the person's

3   bifurcated sentence was made.".

4   **2.** Page 175, line 25: after that line insert:

5   "**SECTION 753g.** 973.01 (7m) of the statutes is created to read:

6   973.01 **(7m)** MODIFICATION OF BIFURCATED SENTENCE. A court may at any time

7   modify a bifurcated sentence that the court previously imposed by reducing the term

8   of confinement in prison portion of the sentence and lengthening the term of

9   extended supervision imposed so that the total length of the bifurcated sentence

10   originally imposed does not change. A proceeding to modify a bifurcated sentence

11   under this subsection shall be conducted using the procedure established and the

12   factors specified by the director of state courts under s. 758.19 (8).".

13   **(END)**