

CS/SB 1154 – Probation and Community Control Violations (Identical CS/HB 1241)

This bill amends multiple statutes, beginning with s. 921.0024, F.S., stating that “if the community sanction violation is resolved through the alternative sanctioning program under s. 948.06(9), F.S., no points are assessed. If a community sanction violation not resolved through the alternative sanctioning program is before the court, no points are assessed for prior violations that were resolved through the alternative sanctioning program.” It also amends s. 948.06, F.S., regarding when a court is required to modify rather than revoke probation, as follows (new language in bold): “The court has not, **on two or more separate occasions**, previously found the probationer in violation of his or her probation pursuant to a filed violation of probation affidavit during the current term of supervision.” These changes to the statutory language could lead to a decrease in the number of technical violators sentenced to prison.

Per DOC, in FY 22-23, there were 4,339 technical violators sentenced to prison. However, it is not known how many of these potentially eligible offenders would be impacted by the new language.

CONFERENCE ADOPTED ESTIMATE: Negative Indeterminate

Requested by: Senate