

26 (1) As used in ~~For purposes of~~ this section, the term
 27 "juvenile offender" means a person sentenced to imprisonment in
 28 the custody of the Department of Corrections for an offense
 29 committed ~~on or after July 1, 2014, and committed~~ before he or
 30 she attained 18 years of age.

31 (2) (a) A juvenile offender sentenced under s.
 32 775.082 (1) (b)1. is entitled to a review of his or her sentence
 33 after 25 years. However, a juvenile offender sentenced under s.
 34 775.082 (1) (b)1. is not entitled to review of his or her sentence
 35 if he or she has previously been convicted of one of the
 36 following offenses, or conspiracy to commit one of the following
 37 offenses, if the offense for which the person was previously
 38 convicted was part of a separate criminal transaction or episode
 39 than that which resulted in the sentence under s.

40 775.082 (1) (b)1.:

- 41 1. Murder;
- 42 2. Manslaughter;
- 43 3. Sexual battery;
- 44 4. Armed burglary;
- 45 5. Armed robbery;
- 46 6. Armed carjacking;
- 47 7. Home-invasion robbery;
- 48 8. Human trafficking for commercial sexual activity with a
 49 child under 18 years of age;
- 50 9. False imprisonment under s. 787.02 (3) (a); or

51 10. Kidnapping.

52 (b) A juvenile offender sentenced to a term of more than
53 25 years under s. 775.082(3)(a)5.a. or s. 775.082(3)(b)2.a. is
54 entitled to a review of his or her sentence after 25 years.

55 (c) A juvenile offender sentenced to a term of more than
56 15 years under s. 775.082(1)(b)2., s. 775.082(3)(a)5.b., or s.
57 775.082(3)(b)2.b. is entitled to a review of his or her sentence
58 after 10 ~~15~~ years.

59 (d) A juvenile offender sentenced to a term of 20 years or
60 more under s. 775.082(3)(c) is entitled to a review of his or
61 her sentence after 10 ~~20~~ years. If the juvenile offender is not
62 resentenced at the initial review hearing, he or she is eligible
63 for one subsequent review hearing 2 ~~10~~ years after the initial
64 review hearing.

65 (3) The Department of Corrections shall:

66 (a) Notify a juvenile offender of his or her eligibility
67 to request a sentence review hearing 18 months before the
68 juvenile offender is entitled to a sentence review hearing under
69 this section.

70 (b) Include time spent in county jail before custody in
71 the Department of Corrections when calculating a juvenile
72 offender's eligibility date for sentence review.

73 (c) Update the juvenile offender's classification records
74 to reflect the potential for early release.

75 (d) Ensure that the juvenile offender has access to

76 transitional programming, with the aim of reducing recidivism.

77 (4)(a) A juvenile offender seeking sentence review
78 pursuant to subsection (2) must submit an application under Rule
79 3.996, Florida Rules of Criminal Procedure, to the court of
80 original jurisdiction requesting that a sentence review hearing
81 be held. The juvenile offender may submit the application at any
82 time following the notice under subsection (3), but no more than
83 18 months before the judicial review eligibility date.

84 (b) The juvenile offender must submit a new application to
85 the court of original jurisdiction to request subsequent
86 sentence review hearings pursuant to paragraph (2)(d). The
87 sentencing court shall retain original jurisdiction for the
88 duration of the sentence for this purpose.

89 (5)(a) A juvenile offender who is eligible for a sentence
90 review hearing under this section is entitled to be represented
91 by counsel, and the court shall appoint a public defender to
92 represent the juvenile offender if the juvenile offender cannot
93 afford an attorney. The juvenile offender may file a request for
94 appointment of counsel, if indigent, to prepare for the judicial
95 review at any time following the notice under subsection (3),
96 but no more than 18 months before the judicial review
97 eligibility date.

98 (b) At a hearing under this section, the juvenile offender
99 shall be present unless the juvenile offender waives the right
100 to be present in writing. This requirement may be satisfied by

101 the juvenile offender appearing by video teleconference. The
102 hearing shall be recorded and transcribed.

103 (6) Upon receiving an application from an eligible
104 juvenile offender, the court of original sentencing jurisdiction
105 shall hold a sentence review hearing within 120 days to
106 determine whether the juvenile offender's sentence should be
107 modified. When determining if it is appropriate to modify the
108 juvenile offender's sentence, the court shall consider any
109 factor it deems appropriate, including all of the following:

110 (a) Whether the juvenile offender demonstrates maturity
111 and rehabilitation and the current age of the juvenile offender.

112 (b) Whether the juvenile offender remains at the same
113 level of risk to society as he or she did at the time of the
114 initial sentencing.

115 (c) The opinion of the victim or the victim's next of kin.
116 The absence of the victim or the victim's next of kin from the
117 sentence review hearing may not be a factor in the determination
118 of the court under this section. The court shall permit the
119 victim or victim's next of kin to be heard, in person, in
120 writing, or by electronic means. If the victim or the victim's
121 next of kin chooses not to participate in the hearing, the court
122 may consider previous statements made by the victim or the
123 victim's next of kin during the trial, initial sentencing phase,
124 or subsequent sentencing review hearings.

125 (d) Whether the juvenile offender was a relatively minor

126 participant in the criminal offense or acted under extreme
127 duress or the domination of another person.

128 (e) Whether the juvenile offender has shown sincere and
129 sustained remorse for the criminal offense.

130 (f) Whether the juvenile offender's age, maturity, and
131 psychological development at the time of the offense affected
132 his or her behavior.

133 (g) Whether the juvenile offender has successfully
134 obtained a high school equivalency diploma or completed another
135 educational, technical, work, vocational, or self-rehabilitation
136 program, if such a program is available.

137 (h) Whether the juvenile offender was a victim of sexual,
138 physical, or emotional abuse before he or she committed the
139 offense.

140 (i) The results of any mental health assessment, risk
141 assessment, or evaluation of the juvenile offender as to
142 rehabilitation.

143 (j) The nature of the offense, including changing societal
144 attitudes regarding the propriety of criminalizing the offense
145 and the appropriate sentence for the offense.

146 (7) If the court determines at a sentence review hearing
147 that the juvenile offender has been rehabilitated and is
148 reasonably believed to be fit to reenter society, the court
149 shall modify the sentence and impose a term of probation of at
150 least 5 years, which can be terminated early for compliance with

151 probation guidelines pursuant to s. 948.04. If the court
152 determines that the juvenile offender has not demonstrated
153 rehabilitation or is not fit to reenter society, the court shall
154 issue a written order stating the reasons why the sentence is
155 not being modified.

156 (8) If the court does not render a ruling during the
157 judicial review hearing, the court shall have 90 days to issue a
158 written ruling on whether the court finds the juvenile offender
159 has been rehabilitated and is reasonably believed to be fit to
160 reenter society.

161 (9) Concurrent and consecutive sentences shall be treated
162 as a single sentence.

163 (10) It is the intent of the Legislature that:

164 (a) All persons sentenced for a crime committed while
165 under the age of 18 are entitled to periodic case reviews,
166 ensuring consistent consideration of their evolving
167 circumstances and the chance to show maturity and rehabilitation
168 before their sentence ends. The Legislature emphasizes that
169 juvenile sentencing should align with the lowest permissible
170 punishment as detailed in Rule 3.992, Florida Rules of Criminal
171 Procedure, Criminal Punishment Code scoresheet, reflecting the
172 distinct nature of juvenile offenses and the potential for
173 rehabilitation of juvenile offenders.

174 (b) Juvenile offenders serving lengthy sentences, with
175 judicial review hearings on the horizon, are provided with

176 transitional programming by the Department of Corrections.

177 (11) (a) By July 1, 2025, and annually thereafter, the
178 State Courts Administrator shall submit to the President of the
179 Senate and the Speaker of the House of Representatives a report
180 on requests for sentence reductions under this section and make
181 the report available to the public.

182 (b) Each report shall include, for the 1-year period
183 preceding the report:

184 1. The number of incarcerated juveniles granted and denied
185 sentence reductions under this section.

186 2. The number of incarcerated juveniles released from
187 prison under this section.

188 3. The demographic characteristics, including race and
189 gender, and the location, categorized by circuit and county, of:

190 a. Those who applied for sentence reductions under this
191 section.

192 b. Those granted sentence reductions under this section.

193 c. Those released from prison under this section.

194 d. Those denied release from prison under this section.

195 e. The initial sentencing term, including any prior
196 resentencing proceedings, of each incarcerated juvenile in
197 subparagraphs 1. and 2.

198 f. The applicable Criminal Punishment Code scoresheet
199 total and mandatory minimums imposed on each incarcerated
200 juvenile in subparagraphs 1. and 2.

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201 Section 2. This act shall apply retroactively to all
202 persons serving a sentence for offenses committed while under
203 the age of 18.

204 Section 3. This act shall take effect July 1, 2024.