

**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)