

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

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1 Committee/Subcommittee hearing bill: Criminal Justice  
2 Subcommittee

3 Representative La Rosa offered the following:

4  
5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraphs (c) and (d) of subsections (1) and  
8 subsection (2) of section 903.047, Florida Statutes, are amended  
9 to read:

10 903.047 Conditions of pretrial release.—

11 (1) As a condition of pretrial release, whether such  
12 release is by surety bail bond or recognizance bond or in some  
13 other form, the defendant must:

14 (c) Refrain from contact of any type with a minor if the  
15 defendant is over the age of 18 and arrested for a violation of  
16 s. 787.01; s. 787.02; s. 787.06; s. 794.011, excluding s.

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17 794.011(10); s. 794.05; s. 800.04; s. 827.071; s. 847.0135; or  
18 s. 847.0145, in which the victim was a minor, except through  
19 pretrial discovery pursuant to the Florida Rules of Criminal  
20 Procedure. An order of no contact is effective immediately and  
21 enforceable for the duration of the pretrial release or until it  
22 is modified by the court. The defendant shall be informed in  
23 writing of the order of no contact specifying the applicable  
24 prohibited acts before the defendant is released from custody on  
25 pretrial release. As used in this section, unless otherwise  
26 specified by the court, the term "no contact" includes the  
27 following prohibited acts:

28 1. Communicating orally or in any written form, either in  
29 person, telephonically, electronically, or in any other manner,  
30 either directly or indirectly through a third person, with a  
31 minor.

32 2. Being alone with a minor.

33 3. Having any direct physical contact with a minor.

34 (d) ~~(e)~~ Comply with all conditions of pretrial release.

35 (2) Upon motion by the defendant when bail is set, or upon  
36 later motion properly noticed pursuant to law, the court may  
37 modify the condition required by paragraphs (1)(b) and (1)(c) if  
38 good cause is shown and the interests of justice so require. If  
39 the motion by defendant is to modify the condition of no contact  
40 with the victim, the ~~The~~ victim shall be permitted to be heard  
41 at any proceeding in which such modification is considered, and

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42 | the state attorney shall notify the victim of the provisions of  
43 | this subsection and of the pendency of any such proceeding.

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**T I T L E   A M E N D M E N T**

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Remove lines 6-8 and insert:

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victim, that the defendant have no contact with a minor;

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defining no contact with a minor; permitting a court to modify

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such a condition in certain circumstances; narrowing the scope

51 |

of notice and right to be heard on modification of no contact

52 |

order to victim and not any minor; providing an effective date.