

THE FLORIDA SENATE
2016 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/CS/HB 75 — Electronic Monitoring Devices

by Judiciary Committee; Criminal Justice Subcommittee; and Rep. Torres and others (CS/CS/SB 954 by Fiscal Policy Committee; Criminal Justice Committee; and Senator Simmons)

The bill (Chapter 2016-15, L.O.F.) repeals s. 948.11(7), F.S., and moves its provisions into newly created s. 843.23, F.S. Section 843.23, F.S., makes it a third degree felony for a person to intentionally and without authority remove, destroy, alter, tamper with, damage, or circumvent the operation of an electronic monitoring device that must be worn or used by that person or another person pursuant to a court order or an order by the Florida Commission on Offender Review.

The bill also makes it a third degree felony for a person to request or solicit another person to remove, destroy, alter, tamper with, damage, or circumvent the operation of an electronic monitoring device that is being worn as described above.

The bill clarifies that the Department of Corrections may electronically monitor offenders sentenced to community control only when the court has imposed electronic monitoring as a condition of community control.

These provisions were approved by the Governor and take effect October 1, 2016.

Vote: Senate 40-0; House 111-3