

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Criminal Justice

CS/HB 329 — Electronic Monitoring of Persons Charged with or Convicted of Offenses Involving Schools or Students

by Criminal Justice Subcommittee and Rep. Maggard and others (CS/SB 496 by Criminal Justice Committee and Senator Burgess)

The bill amends s. 907.041, F.S., to provide that when a person is charged with a specified offense alleged to have been committed at or against a school or against a student while he or she is at school, the court must consider whether the pretrial release conditions of electronic monitoring and a prohibition from being within 1,000 feet of any school are appropriate to protect the community from risk of physical harm to persons.

The bill creates s. 948.301, F.S., to provide that when a person placed on probation or community control for a specified offense alleged to have been committed at or against a school or against a student while he or she is at school, the court must consider whether the conditions of electronic monitoring and a prohibition from being within 1,000 feet of any school are appropriate to protect the community from risk of physical harm to persons. This section applies for any probationer or community controllee whose crime was committed on or after October 1, 2023.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2023.

Vote: Senate 37-0; House 112-0