

THE FLORIDA SENATE
2013 SUMMARY OF LEGISLATION PASSED
Committee on Judiciary

HB 7035 — Pretrial Detention

by Criminal Justice Subcommittee; Rep. Eagle and others (CS/SB 1372 by Judiciary Committee and Senator Bradley)

This bill adds two factors for a court to consider in setting bail or ordering pretrial detention of a criminal defendant:

- Whether a defendant currently before the court for a crime other than a misdemeanor driving offense must register as a sexual offender or a sexual predator. If so, the court must order pretrial detention until first appearance to enable participation by the prosecutor and ensure public safety.
- Whether the state attorney has filed a request for, or the defendant has previously been sentenced as a prison releasee reoffender, habitual violent felony offender, three-time violent felony offender, or violent career criminal, and:
 - A substantial probability exists that the defendant committed the current offense; and
 - No conditions of release can reasonably protect the community from the risk of physical harm or ensure the presence of the defendant at trial.

If approved by the Governor, these provisions take effect July 1, 2013.

Vote: Senate 36-0; House 119-0