

By Senator Grant

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A bill to be entitled
An act relating to arrest; amending s. 901.02,
F.S.; prescribing additional conditions under
which an arrest warrant may be issued;
providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 901.02, Florida Statutes, is
amended to read:

901.02 When warrant of arrest to be issued.--

(1) A warrant may be issued for the arrest of the
person complained against if the magistrate, from the
examination of the complainant and other witnesses, reasonably
believes that the person complained against has committed an
offense within the magistrate's jurisdiction.

(2) When a complaint is filed charging the commission
of a misdemeanor only and the summons issued to the defendant
is returned unserved, the court may issue a warrant for the
defendant's arrest setting bond at defendant's own
recognizance if the conditions in subsection (1) are met.

Section 2. This act shall take effect July 1, 1998.

SENATE SUMMARY

Authorizes the issuance of an arrest warrant when a
complaint charging the commission of a misdemeanor has
been filed and the summons issued to the defendant has
been returned unserved. In that case, bail will be set
at defendant's recognizance.