

By the Committee on Judiciary and Representative Rayson

1 A bill to be entitled
2 An act relating to pretrial detention and
3 release; amending s. 903.047, F.S.; providing
4 for revoking a defendant's pretrial release and
5 providing for a defendant's pretrial detention
6 under certain circumstances; amending s.
7 907.041, F.S.; authorizing the court to revoke
8 a defendant's pretrial release and require
9 pretrial detention if the court finds that the
10 defendant violated any condition of pretrial
11 release; providing an effective date.

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

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15 Section 1. Section 903.047, Florida Statutes, is
16 amended to read:

17 903.047 Conditions of pretrial release; revocation and
18 detention.--

19 (1) As a condition of pretrial release, whether such
20 release is by surety bail bond or recognizance bond or in some
21 other form, the court shall require that:

22 (a) The defendant refrain from criminal activity of
23 any kind; and

24 (b) The defendant refrain from any contact of any type
25 with the victim, except through pretrial discovery pursuant to
26 the Florida Rules of Criminal Procedure.

27 (2) Upon motion by the defendant when bail is set, or
28 upon later motion properly noticed pursuant to law, the court
29 may modify the condition required by paragraph (1)(b) if good
30 cause is shown and the interests of justice so require. The
31 victim shall be permitted to be heard at any proceeding in

1 which such modification is considered, and the state attorney
2 shall notify the victim of the provisions of this subsection
3 and of the pendency of any such proceeding.

4 (3) The court may revoke a defendant's pretrial
5 release, whether such release is by surety bail bond,
6 recognizance bond, or some other form of pretrial release, and
7 order that the defendant be detained pending trial if the
8 defendant violates a condition of paragraph (1)(a) or
9 paragraph (1)(b), a court-ordered condition of bond, or other
10 condition of pretrial release.

11 Section 2. Subsection (5) is added to section 907.041,
12 Florida Statutes, to read:

13 907.041 Pretrial detention and release.--

14 (5) REVOCATION OF PRETRIAL RELEASE.--If the court
15 finds that a defendant violated any condition of pretrial
16 release, whether such release is by surety bail bond,
17 recognizance bond, or in some other form, the court may revoke
18 the defendant's pretrial release and require pretrial
19 detention under s. 903.047.

20 Section 3. This act shall take effect July 1, 2000.