



HB 1185

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A bill to be entitled
 An act relating to bail and pretrial release; creating s. 903.0465, F.S.; providing that a judge at a first appearance may not reduce bail set by another judge issuing an arrest warrant; amending s. 903.0471, F.S.; authorizing a court to make a finding of probable cause on the basis of an affidavit of a law enforcement officer when a person on pretrial release is arrested for a new law violation; providing an effective date.

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

Section 1. Section 903.0465, Florida Statutes, is created to read:

903.0465 Determination of bail at first appearance.--In any case in which a defendant is before the court at a first appearance hearing based on the execution of an arrest warrant, the judge at the first appearance hearing may not reduce the amount of bail indicated on the warrant, unless the judge issuing the warrant indicates that the matter of bail may be reconsidered at the first appearance hearing. This section does not apply when the judge at the first appearance hearing is also the judge who issued the warrant or when the judge at the first appearance hearing is the judge to whom the case has been assigned.

Section 2. Section 903.0471, Florida Statutes, is amended to read:

903.0471 Violation of condition of pretrial release.-- Notwithstanding s. 907.041, a court may, on its own motion, revoke pretrial release and order pretrial detention if the



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31 court finds probable cause to believe that the defendant
32 committed a new crime while on pretrial release. A finding of
33 probable cause under this section may, in the court's
34 discretion, be determined based upon the affidavit of a law
35 enforcement officer without an evidentiary hearing.

36 Section 3. This act shall take effect upon becoming a law.