

By Senator Lynn

7-27-04

1 A bill to be entitled
2 An act relating to the right to a speedy trial;
3 creating time limits within which a person
4 charged with a crime by information or
5 indictment must be brought to trial; permitting
6 state attorneys to file a demand for a speedy
7 trial; requiring that the trial judge schedule
8 a calendar call upon the filing of a demand for
9 a speedy trial in order to schedule a trial;
10 providing an effective date.

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

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14 Section 1. Victim's right to a speedy trial; speedy
15 trial demand by the state. To ensure the right of crime
16 victims and the people of this state to a prompt and timely
17 disposition of cases, each person charged with a crime by
18 indictment or information must be brought to trial within 90
19 days if the crime charged is a misdemeanor or within 175 days
20 if the crime charged is a felony, barring unforeseen or
21 extraordinary circumstances. To meet this time standard, the
22 state attorney may file a demand for speedy trial in any
23 misdemeanor case that has not been resolved within 40 days
24 after arrest or in any felony case that has not been resolved
25 within 125 days after arrest. Upon filing of the demand, the
26 trial court shall schedule a calendar call within 5 days, at
27 which time the trial shall be scheduled for not less than 5
28 days or more than 45 days following the date of the calendar
29 call.

30 Section 2. This act shall take effect July 1, 2004.
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SENATE SUMMARY

Creates time limits within which a person charged with a crime by information or indictment must be brought to trial. Permits state attorneys to file a demand for a speedy trial. Provides that the trial judge must schedule a calendar call within 5 days upon the filing of a demand for a speedy trial in order to schedule a trial.