

1 A bill to be entitled
 2 An act relating to custody of criminal defendants;
 3 amending s. 907.04, F.S.; providing for court orders
 4 requiring that arrestees in the custody of the Department
 5 of Corrections at the time of arrest be retained in the
 6 department's custody pending transfer to the custody of a
 7 sheriff; providing an effective date.

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

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 11 Section 1. Section 907.04, Florida Statutes, is amended to
 12 read:

13 907.04 Disposition of defendant upon arrest.--

14 (1) Except as provided in subsection (2), if a person who
 15 is arrested does not have a right to bail for the offense
 16 charged, he or she shall be delivered immediately into the
 17 custody of the sheriff of the county in which the indictment,
 18 information, or affidavit is filed. If the person who is
 19 arrested has a right to bail, he or she shall be released after
 20 giving bond on the amount specified in the warrant.

21 (2) If the person who is arrested is, at the time of
 22 arrest, in the custody of the Department of Corrections under
 23 sentence of imprisonment, the court may order that person to
 24 remain in the department's custody pending transportation and
 25 transfer to the custody of the sheriff of the county in which
 26 the indictment, information, or affidavit is filed, as necessary
 27 for further proceedings.

28 Section 2. This act shall take effect July 1, 2006.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.