

HB 271 CS

2006  
CS

## CHAMBER ACTION

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1 The Criminal Justice Appropriations Committee recommends the  
2 following:

**Council/Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to arrests and arrestees; amending s.  
8 901.15, F.S.; providing additional offenses for which a  
9 person may be arrested on probable cause and without  
10 warrant; amending s. 907.04, F.S.; providing that  
11 arrestees in the custody of the Department of Corrections  
12 at the time of arrest be retained in the department's  
13 custody pending disposition of the charge or until the  
14 expiration of the arrestee's original sentence of  
15 imprisonment; requiring application of specified  
16 provisions if an arrested state prisoner's presence is  
17 required in court; providing an effective date.

18  
19 Be It Enacted by the Legislature of the State of Florida:

20  
21 Section 1. Subsections (16) and (17) are added to section  
22 901.15, Florida Statutes, to read:

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23           901.15 When arrest by officer without warrant is  
24 lawful.--A law enforcement officer may arrest a person without a  
25 warrant when:

26           (16) There is probable cause to believe that the person  
27 has committed an exhibition or exposure of his or her sexual  
28 organs in violation of s. 800.03.

29           (17) There is probable cause to believe that the person  
30 has committed an act of voyeurism in violation of s. 810.14(1).

31           Section 2. Section 907.04, Florida Statutes, is amended to  
32 read:

33           907.04 Disposition of defendant upon arrest.--

34           (1) Except as provided in subsection (2), if a person who  
35 is arrested does not have a right to bail for the offense  
36 charged, he or she shall be delivered immediately into the  
37 custody of the sheriff of the county in which the indictment,  
38 information, or affidavit is filed. If the person who is  
39 arrested has a right to bail, he or she shall be released after  
40 giving bond on the amount specified in the warrant.

41           (2) If the person who is arrested is, at the time of  
42 arrest, in the custody of the Department of Corrections under  
43 sentence of imprisonment, unless otherwise ordered by the court,  
44 such person shall remain in the department's custody pending  
45 disposition of the charge or until the person's underlying  
46 sentence of imprisonment expires, whichever occurs earlier. If  
47 the arrested state prisoner's presence is required in court for  
48 any reason, the provisions of s. 944.17(8) shall apply.

49           Section 3. This act shall take effect July 1, 2006.