

ENROLLED  
 HB 271, Engrossed 1

2006 Legislature

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A bill to be entitled  
 An act relating to arrests and arrestees; amending s.  
 907.04, F.S.; providing that arrestees in the custody of  
 the Department of Corrections at the time of arrest be  
 retained in the department's custody pending disposition  
 of the charge or until the expiration of the arrestee's  
 original sentence of imprisonment; requiring application  
 of specified provisions if an arrested state prisoner's  
 presence is required in court; providing an effective  
 date.

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

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

907.04 Disposition of defendant upon arrest.--

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

(2) If the person who is arrested is, at the time of  
 arrest, in the custody of the Department of Corrections under  
 sentence of imprisonment, unless otherwise ordered by the court,

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28 | such person shall remain in the department's custody pending  
29 | disposition of the charge or until the person's underlying  
30 | sentence of imprisonment expires, whichever occurs earlier. If  
31 | the arrested state prisoner's presence is required in court for  
32 | any reason, the provisions of s. 944.17(8) shall apply.

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