

1 monitoring devices; providing grounds for
2 removal from the list; creating s. 907.08,
3 F.S.; providing standards for privately owned
4 electronic monitoring devices; creating s.
5 907.09, F.S.; providing criminal penalties for
6 tampering with electronic monitoring devices;
7 providing criminal penalties for cloning or
8 jamming the signal of an electronic monitoring
9 device; providing criminal penalties for the
10 alteration or destruction of data stored or
11 transmitted by an electronic monitoring device
12 with specified intent; creating ss. 944.161 and
13 985.4047, F.S.; providing for electronic
14 monitoring of inmates within correctional
15 facilities and juvenile offenders within
16 juvenile facilities, respectively; requiring
17 such monitoring of certain employees and
18 visitors to such facilities; providing system
19 requirements; prohibiting specified actions
20 relating to such monitoring systems and data
21 from such systems; providing penalties;
22 providing rulemaking authority; providing an
23 effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. Section 648.387, Florida Statutes, is
28 amended to read:

29 648.387 Primary bail bond agents; duties; electronic
30 monitoring services by licensed bail bond agents.--

31

1 (1) The owner or operator of a bail bond agency shall
2 designate a primary bail bond agent for each location, and
3 shall file with the department the name and license number of
4 the person and the address of the location on a form approved
5 by the department. The designation of the primary bail bond
6 agent may be changed if the department is notified
7 immediately. Failure to notify the department within 10
8 working days after such change is grounds for disciplinary
9 action pursuant to s. 648.45.

10 (2) The primary bail bond agent is responsible for the
11 overall operation and management of a bail bond agency
12 location, whose responsibilities may include, without
13 limitations, hiring and supervising of all individuals within
14 the location, whether they deal with the public in the
15 solicitation or negotiation of bail bond contracts or in the
16 collection or accounting of moneys. A person may be designated
17 as primary bail bond agent for only one location.

18 (3) The department may suspend or revoke the license
19 of the owner, operator, and primary bail bond agent if a bail
20 bond agency employs, contracts with, or uses the services of a
21 person who has had a license denied or whose license is
22 currently suspended or revoked. However, a person who has been
23 denied a license for failure to pass a required examination
24 may be employed to perform clerical or administrative
25 functions for which licensure is not required.

26 (4) An owner, operator, or primary agent may not
27 employ, contract with, or use the services of any person in a
28 bail bond agency who has been charged with, found guilty of,
29 or pled guilty or nolo contendere to a felony or a crime
30 punishable by imprisonment of 1 year or more under the law of
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1 any jurisdiction, without regard to whether judgment was
2 entered or withheld by the court.

3 (5) A bail bond agency location may not conduct surety
4 business unless a primary bail bond agent is designated at all
5 times. The failure to designate a primary agent on a form
6 prescribed by the department, within 10 working days after an
7 agency's inception or a change of primary agent, is a
8 violation of this chapter, punishable as provided in s.
9 648.45.

10 (6)(a) A licensed bail bond agent who meets the
11 requirements of s. 907.07 may be a vendor of electronic
12 monitoring services. A licensed bail bond agent may also
13 subcontract for such services with a third-party vendor of the
14 bail bond agent's choice provided the licensed bail bond agent
15 can certify that the equipment and services rendered by such
16 third-party vendor on the bail bond agent's behalf meet the
17 requirements of s. 907.07 for monitoring of a defendant for
18 whom the bail bond agent has provided a criminal surety bail
19 bond. A licensed bail bond agent who meets the requirements of
20 s. 907.07 may additionally register with a governmental entity
21 to provide electronic monitoring services when monitoring has
22 been ordered by a court.

23 (b) A licensed bail bond agent may charge a
24 reasonable, nonrefundable fee for electronic monitoring
25 services from a person who is subject to electronic
26 monitoring. Failure to timely pay such fees constitutes
27 grounds for the agent to remand such person to the court or
28 sheriff. Fees charged by a bail bond agent associated with
29 required electronic monitoring services are not considered
30 part of the bail bond premium and are exempt from the
31 provisions of s. 648.33.

1 (c) Records and receipts for electronic monitoring
2 provided by a licensed bail bond agent shall be kept separate
3 and apart from bail bond records.

4 Section 2. Section 907.06, Florida Statutes, is
5 created to read:

6 907.06 Electronic monitoring.--

7 (1) The court may order a defendant who has been
8 charged with a forcible felony, as defined in s. 776.08, or a
9 sex-related offense, or who has been charged with any crime
10 and who has been previously convicted of a forcible felony or
11 a sex-related offense, to be released from custody on a surety
12 bond subject to conditions that include, without limitation,
13 electronic monitoring, if electronic monitoring is available
14 in the jurisdiction. For purposes of this section, the term
15 "sex-related offense" includes any of the offenses contained
16 in s. 943.0435(1)(a)1.

17 (2) A defendant required to submit to electronic
18 monitoring shall pay a reasonable fee for equipment use and
19 monitoring as an additional condition of pretrial release. The
20 failure of the defendant to timely pay such fees constitutes a
21 violation of pretrial release and grounds for the defendant to
22 be remanded to the court or appropriate sheriff or law
23 enforcement agency.

24 (3) Electronic monitoring shall include the provision
25 of services to continuously receive and monitor the electronic
26 signals from the transmitter worn by the defendant so as to be
27 capable of identifying the defendant's geographic position at
28 any time to within 9 meters using Global Positioning Satellite
29 (GPS) technology, subject to the limitations related to the
30 technology and to circumstances of force majeure. Such
31 electronic monitoring services may be undertaken as a primary

1 responsibility by a governmental entity or by a licensed bail
2 bond agent who may provide both bail bond services and have
3 primary responsibility or oversight for electronic monitoring
4 services. A governmental entity or licensed bail bond agent
5 may subcontract to a third-party vendor for electronic
6 monitoring services, provided such third-party vendor complies
7 with all provisions of this subsection and s. 907.08 and
8 operates under the direction and control of the governmental
9 entity or licensed bail bond agent with primary responsibility
10 as the vendor for electronic monitoring. A governmental entity
11 that elects to subcontract for electronic monitoring services
12 shall be required to select such third-party vendor through a
13 competitive bidding process.

14 (4)(a) Any person who provides electronic monitoring
15 services shall report forthwith any known violation of the
16 defendant's pretrial release conditions to the appropriate
17 court, sheriff or law enforcement agency, state attorney, and
18 licensed bail bond agent, if any.

19 (b)1. Notwithstanding paragraph (a), the provision of
20 electronic monitoring services shall not be deemed to
21 constitute an undertaking to protect members of the public
22 from harm occasioned by a monitored person. The sole duty owed
23 by a person who provides electronic monitoring is to give a
24 law enforcement officer, upon request, an indication of the
25 physical location of the monitored person at any point in
26 time.

27 2. A person who provides electronic monitoring is not
28 responsible to other persons for equipment failure or for the
29 criminal acts of a monitored person. A provider of electronic
30 monitoring services cannot control the activities of a
31 monitored person. It is unreasonable for any member of the

1 public to expect that a provider of electronic monitoring
2 services will provide protection against harm occasioned by a
3 monitored person.

4 (5) A defendant who has been released in accordance
5 with this section shall not alter, tamper with, damage, or
6 destroy any electronic monitoring equipment or data recorded
7 by such equipment. A defendant who is notified of a
8 malfuction in the equipment shall immediately cooperate with
9 the vendor in restoring the equipment to proper functioning. A
10 violation of this subsection constitutes a violation of
11 pretrial release and grounds for the defendant to be remanded
12 to the court or appropriate sheriff or law enforcement agency.

13 Section 3. Section 907.07, Florida Statutes, is
14 created to read:

15 907.07 Vendor requirements for provision of electronic
16 monitoring services; vendor registration and certification
17 process.--

18 (1) This section shall not apply to electronic
19 monitoring provided directly by the state, a county, or a
20 sheriff.

21 (2) The chief judge of each judicial circuit shall
22 maintain a list of all licensed bail bond agents who are
23 eligible vendors of electronic monitoring in the circuit. For
24 a licensed bail bond agent to be an eligible vendor, a
25 licensed bail bond agent must register in accordance with this
26 section as a vendor capable of providing electronic monitoring
27 services as a primary provider or through a subcontractor in
28 that judicial circuit. The chief judge shall place on such
29 list of eligible vendors any licensed bail bond agent in this
30 state who certifies in writing, as part of the vendor
31 registration, that all electronic monitoring equipment and

1 electronic monitoring services shall be operated and
2 maintained in compliance with this section, and who agrees as
3 part of such certification to comply with the terms of this
4 section.

5 (3) Only a governmental entity, or a licensed bail
6 bond agent who is included on a list of eligible vendors under
7 subsection (2), shall be permitted to undertake primary
8 responsibility as a vendor of electronic monitoring services
9 in a judicial circuit of this state.

10 (4) A licensed bail bond agent shall agree to abide by
11 the following minimum terms as a condition of being included
12 on the list of eligible vendors of electronic monitoring in a
13 given judicial circuit of this state:

14 (a) The vendor shall register in writing the name of
15 the vendor, who must be a licensed bail bond agent in this
16 state; the name of an individual employed by the vendor who is
17 to serve as a contact person for the vendor; the address of
18 the vendor; and the telephone number of the contact person.

19 (b) The vendor must initially certify as part of the
20 registration, and must certify in writing at least annually
21 thereafter on a date set by the chief judge, that all of the
22 electronic monitoring devices used by the vendor and any of
23 the vendor's subcontractors comply with the requirements for
24 privately owned electronic monitoring devices in s. 907.08.

25 (5) A vendor shall promptly notify the chief judge of
26 any changes in the vendor's registration information that is
27 required under this section.

28 (6) Failure to comply with the registration or
29 recertification requirements of this section shall be grounds
30 for removal from any chief judge's list of eligible vendors
31 for electronic monitoring.

1 (7) The chief judge, in his or her discretion, may
2 also remove any registered vendor from the list of eligible
3 vendors if the vendor:

4 (a) Fails to properly monitor any person that the
5 vendor was required to monitor; or

6 (b) Charges a defendant a clearly excessive fee for
7 use and monitoring of electronic monitoring equipment. Such
8 fees shall be considered clearly excessive if the fees charged
9 on a per diem basis are at least twice the average fee charged
10 by other vendors on the eligible vendor list who provide
11 comparable electronic monitoring equipment and services in
12 that judicial circuit.

13 Section 4. Section 907.08, Florida Statutes, is
14 created to read:

15 907.08 Standards for privately owned electronic
16 monitoring devices.--A privately owned electronic monitoring
17 device provided by a vendor must, at a minimum, meet the
18 standards set forth in this section to be used for electronic
19 monitoring of a person under s. 907.06. A device must:

20 (1) Be a transmitter unit that meets certification
21 standards approved by the Federal Communications Commission.

22 (2) At the court's discretion, either:

23 (a) Emit signal content 24 hours per day that
24 identifies the specific device being worn by the defendant and
25 the defendant's physical location using Global Positioning
26 Satellite (GPS) technology accurate to within 9 meters; or

27 (b) Receive signal content 24 hours per day,
28 determining the defendant's physical location using Global
29 Positioning Satellite (GPS) technology accurate to within 9
30 meters, recording the defendant's physical locations

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1 throughout the day, and being capable of transmitting that
2 record of locations to the vendor at least daily.

3 (3) With respect to a unit affixed to a defendant,
4 possess an internal power source that provides a minimum of 1
5 year of normal operation without recharging or replacing the
6 power source. The device must emit signal content that
7 indicates its power status and provides the vendor with
8 notification of whether the power source needs to be recharged
9 or replaced.

10 (4) Possess and emit signal content that indicates
11 whether the transmitter has been subjected to tampering or
12 removal.

13 (5) Possess encrypted signal content or another
14 feature designed to discourage duplication.

15 (6) Be of a design that is shock resistant,
16 waterproof, and capable of reliable function under normal
17 atmospheric and environmental conditions.

18 (7) Be capable of wear and use in a manner that does
19 not pose a safety hazard or unduly restrict the activities of
20 the defendant.

21 (8) Be capable of being attached to the defendant in a
22 manner that readily reveals any efforts to tamper with or
23 remove the transmitter upon visual inspection.

24 (9) Use straps or other mechanisms for attaching the
25 transmitter to the defendant that are either capable of being
26 adjusted to fit a defendant of any size or that are made
27 available in a variety of sizes.

28 Section 5. Section 907.09, Florida Statutes, is
29 created to read:

30 907.09 Offenses related to electronic monitoring
31 devices.--

1 (1) It is illegal for any person to intentionally
2 alter, tamper with, damage, or destroy any electronic
3 monitoring equipment used for monitoring the location of a
4 person pursuant to court order, unless such person is the
5 owner of the equipment or an agent of the owner performing
6 ordinary maintenance and repairs. A person who violates this
7 subsection commits a felony of the third degree, punishable as
8 provided in s. 775.082, s. 775.083, or s. 775.084.

9 (2) It is illegal for any person to develop, build,
10 create, possess, or use any device that is intended to mimic,
11 clone, interfere with, or jam the signal of an electronic
12 monitoring device used to monitor the location of a person
13 pursuant to court order. A person who violates this subsection
14 commits a felony of the third degree, punishable as provided
15 in s. 775.082, s. 775.083, or s. 775.084.

16 (3) A person may not intentionally alter, tamper with,
17 damage, or destroy any data stored or transmitted by any
18 electronic monitoring equipment used for monitoring the
19 location of a person pursuant to court order with the intent
20 to violate such court order or to conceal such a violation. A
21 person who violates this subsection commits a felony of the
22 third degree, punishable as provided in s. 775.082, s.
23 775.083, or s. 775.084.

24 Section 6. Section 944.161, Florida Statutes, is
25 created to read:

26 944.161 Electronic monitoring of inmates within
27 correctional facilities.--

28 (1) The department is authorized and encouraged to
29 employ electronic monitoring of inmates within its custody who
30 are incarcerated within state and private correctional
31 facilities.

1 (a) Electronic monitoring services must have the
2 capability to continuously receive and monitor electronic
3 signals from a transmitter worn by an inmate so as to
4 continuously monitor the inmate in real time and identify the
5 inmate's specific geographic position within the facility at
6 any time. Such transmitters must update in at least 5-second
7 intervals and monitor the inmate's geographical location to
8 within at least a 10-foot radius of his or her actual location
9 or to within a radius that is equal to the width of a
10 facility's average size sleeping quarters, whichever is less,
11 subject to the limitations relating to the state of the art of
12 the technology used and to circumstances of force majeure.

13 (b) Any electronic monitoring system employed shall
14 also provide transmitters to be worn by department employees,
15 employees of private-sector companies contracted to operate
16 correctional facilities, and any visitors to correctional
17 facilities who are provided access to areas that are
18 designated for authorized personnel only. Such transmitters
19 shall include a panic safety button and must have the
20 capability to continuously receive and monitor electronic
21 signals from a transmitter worn by an employee or visitor so
22 as to continuously monitor employees and visitors in real time
23 and identify their specific geographic positions at any time.
24 Such transmitters must update in at least 5-second intervals
25 and monitor employees and visitors to within a 10-foot radius
26 of their actual location, subject to the limitations relating
27 to the state of the art of the technology used and to
28 circumstances of force majeure.

29 (c) Any electronic monitoring system employed shall
30 also have the following technological and functional
31 capabilities:

1 1. Be compatible with a commercially recognized
2 wireless network access standard as designated by the
3 department and have sufficient bandwidth to support additional
4 wireless networking devices in order to increase the capacity
5 for usage of the system by the correctional facility.

6 2. Be capable of issuing an alarm to an internal
7 correctional monitoring station within 3 seconds after
8 receiving a panic alert from an employee or visitor
9 transmitter or within 3 seconds after violation of the
10 established parameters for permissible movement of inmates,
11 employees, and visitors within the facility.

12 3.a. Be capable of maintaining a historical storage
13 capacity sufficient to store up to 6 months of complete
14 inmate, employee, and visitor tracking for purposes of
15 follow-up investigations and vendor contract auditing. The
16 system must be capable of recording for such purposes the
17 continuous uninterrupted movement of all monitored
18 individuals, including those in close proximity to any
19 selected individual, by specific position, not by area or
20 zone. Such historical information must also be capable of
21 being archived by means of electronic data transfer to a
22 permanent storage medium designated as acceptable by the
23 department.

24 b. In addition, data collected from each facility each
25 day shall be electronically transmitted to an offsite central
26 clearinghouse designated by the department where the data
27 shall be maintained in a secure storage location in a
28 permanent storage medium designated as acceptable by the
29 department as a supplemental backup in order to protect the
30 archived data from alteration and to prevent loss due to
31 disaster or other cause.

- 1 4. With respect to a unit affixed to an inmate, be
2 capable of possessing an internal power source that is field
3 rechargeable or that provides a minimum of 1 year of normal
4 operation without need for recharging or replacing the power
5 source. Batteries used in units must be replaceable by
6 correctional employees. The device must emit signal content
7 that indicates the power status of the transmitter and
8 provides the correctional facility monitoring station with
9 notification of whether the power source needs to be recharged
10 or replaced.
- 11 5. Possess and emit signal content that indicates
12 whether the transmitter has been subjected to tampering or
13 removal.
- 14 6. Possess encrypted signal content or another feature
15 designed to discourage duplication.
- 16 7. Be of a design that is shock resistant, waterproof,
17 and capable of reliable function under normal atmospheric and
18 environmental conditions.
- 19 8. Be capable of wear and use in a manner that does
20 not pose a safety hazard or unduly restrict the activities of
21 the inmate.
- 22 9. Be capable of being attached to the inmate in a
23 manner that readily reveals any efforts to tamper with or
24 remove the transmitter upon visual inspection.
- 25 10. Either posses straps or other mechanisms for
26 attaching the transmitter to the inmate which are capable of
27 being adjusted to fit an inmate of any size or must be made
28 available in a variety of sizes.
- 29 11. Be designed and constructed in such a way as to
30 resist tampering with or removal by the inmate.
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1 12. Provide a backup power source in the event of a
2 power failure.

3 (2) A person may not intentionally alter, tamper with,
4 damage, or destroy any electronic monitoring equipment used to
5 monitor the location of a person within a correctional
6 facility, unless the person is the owner of the equipment or
7 an agent of the owner performing ordinary maintenance and
8 repairs. A person who violates this subsection commits a
9 felony of the third degree, punishable as provided in s.
10 775.082, s. 775.083, or s. 775.084.

11 (3) A person may not develop, build, create, possess,
12 or use any device that is intended to mimic, clone, interfere
13 with, or jam the signal of an electronic monitoring device
14 used to monitor the location of a person within a correctional
15 facility. A person who violates this subsection commits a
16 felony of the third degree, punishable as provided in s.
17 775.082, s. 775.083, or s. 775.084.

18 (4) A person may not intentionally alter, tamper with,
19 damage, or destroy any data stored pursuant to subparagraph
20 (1)(c)3. unless done so with written permission from an
21 authorized official of the department or in compliance with a
22 data-retention policy of the department adopted by rule. A
23 person who violates this subsection commits a felony of the
24 third degree, punishable as provided in s. 775.082, s.
25 775.083, or s. 775.084.

26 (5) The department is authorized to adopt rules
27 pursuant to ss. 120.536(1) and 120.54 to implement the
28 provisions of this section.

29 Section 7. Section 985.4047, Florida Statutes, is
30 created to read:

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1 985.4047 Electronic monitoring of juvenile offenders
2 within juvenile facilities.--

3 (1) The department is authorized and encouraged to
4 employ electronic monitoring of juvenile offenders within its
5 custody who are incarcerated within state and private juvenile
6 offender facilities for the purpose of reducing offender on
7 offender violence and reducing employee sexual misconduct as
8 defined in s. 985.4045.

9 (a) Electronic monitoring services must have the
10 capability to continuously receive and monitor electronic
11 signals from a transmitter worn by a juvenile offender so as
12 to continuously monitor an offender in real time and identify
13 at any time the offender's specific geographic position within
14 the facility. Such transmitters must update in at least
15 5-second intervals and monitor the offender's geographical
16 location to within at least a 10-foot radius of his or her
17 actual location or to within a radius that is equal to the
18 width of a facility's average size sleeping quarters,
19 whichever is less, subject to the limitations relating to the
20 state of the art of the technology used and to circumstances
21 of force majeure.

22 (b) Any electronic monitoring system employed shall
23 also provide transmitters to be worn by department employees,
24 employees of private-sector companies contracted to operate
25 juvenile facilities, and any visitors to juvenile facilities
26 who are provided access to areas that are designated for
27 authorized personnel only. Such transmitters shall include a
28 panic button and must have the capability to continuously
29 receive and monitor electronic signals from a transmitter worn
30 by an employee or visitor so as to continuously monitor
31 employees and visitors in real time and identify their

1 specific geographic positions at any time. Such transmitters
2 must update in at least 5-second intervals and monitor
3 employees and visitors to within a 10-foot radius of their
4 actual location, subject to the limitations relating to the
5 state of the art of the technology used and to circumstances
6 of force majeure.

7 (c) Any electronic monitoring system employed shall
8 also:

9 1. Be compatible with a commercially recognized
10 wireless network access standard as designated by the
11 department and have sufficient bandwidth to support additional
12 wireless networking devices in order to increase the capacity
13 for usage of the system by the facility.

14 2. Be capable of issuing an alarm to an internal
15 facility monitoring station within 3 seconds after receiving a
16 panic alert from an employee or visitor transmitter or within
17 3 seconds after violation of the established parameters for
18 permissible movement of offenders, employees, and visitors
19 within the facility.

20 3.a. Be capable of maintaining a historical storage
21 capacity sufficient to store up to 6 months of complete
22 offender, employee, and visitor tracking for purposes of
23 follow-up investigations and vendor contract auditing. The
24 system must be capable of recording for such purposes the
25 continuous uninterrupted movement of all monitored
26 individuals, including those in close proximity to any
27 selected individual, by specific position, not by area or
28 zone. Such historical information must also be capable of
29 being archived by means of electronic data transfer to a
30 permanent storage medium designated as acceptable by the
31 department.

1 b. In addition, data collected from each facility each
2 day shall be electronically transmitted to an offsite central
3 clearinghouse designated by the department where the data
4 shall be maintained in a secure storage location in a
5 permanent storage medium designated as acceptable by the
6 department as a supplemental backup in order to protect the
7 archived data from alteration and to prevent loss due to
8 disaster or other cause.

9 4. With respect to a unit affixed to an offender, be
10 capable of possessing an internal power source that is field
11 rechargeable or that provides a minimum of 1 year of normal
12 operation without need for recharging or replacing the power
13 source and batteries must be replaceable by facility
14 employees. The device must emit signal content that indicates
15 the power status of the transmitter and provides the facility
16 monitoring station with notification of whether the power
17 source needs to be recharged or replaced.

18 5. Possess and emit signal content that indicates
19 whether the transmitter has been subjected to tampering or
20 removal.

21 6. Possess encrypted signal content or another feature
22 designed to discourage duplication.

23 7. Be of a design that is shock resistant, waterproof,
24 and capable of reliable function under normal atmospheric and
25 environmental conditions.

26 8. Be capable of wear and use in a manner that does
27 not pose a safety hazard or unduly restrict the activities of
28 the offender.

29 9. Be capable of being attached to the offender in a
30 manner that readily reveals any efforts to tamper with or
31 remove the transmitter upon visual inspection.

1 10. Either possess straps or other mechanisms for
2 attaching the transmitter to the offender which are capable of
3 being adjusted to fit an offender of any size or must be made
4 available in a variety of sizes.

5 11. Be designed and constructed in such a way as to
6 resist tampering with or removal by the offender.

7 12. Provide a backup power source in the event of a
8 power failure.

9 (2) A person may not intentionally alter, tamper with,
10 damage, or destroy any electronic monitoring equipment used to
11 monitor the location of a person within a juvenile facility,
12 unless the person is the owner of the equipment or an agent of
13 the owner performing ordinary maintenance and repairs. A
14 person who violates this subsection commits a felony of the
15 third degree, punishable as provided in s. 775.082, s.
16 775.083, or s. 775.084.

17 (3) A person may not develop, build, create, possess,
18 or use any device that is intended to mimic, clone, interfere
19 with, or jam the signal of an electronic monitoring device
20 used to monitor the location of a person within a juvenile
21 facility. A person who violates this subsection commits a
22 felony of the third degree, punishable as provided in s.
23 775.082, s. 775.083, or s. 775.084.

24 (4) A person may not intentionally alter, tamper with,
25 damage, or destroy any data stored pursuant to subparagraph
26 (1)(c)3. unless done so with written permission from an
27 authorized official of the department or in compliance with a
28 data-retention policy of the department adopted by rule. A
29 person who violates this subsection commits a felony of the
30 third degree, punishable as provided in s. 775.082, s.
31 775.083, or s. 775.084.

1 (5) The department is authorized to adopt rules
2 pursuant to ss. 120.536(1) and 120.54 to implement the
3 provisions of this section.

4 Section 8. This act shall take effect October 1, 2006.

5
6 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
7 COMMITTEE SUBSTITUTE FOR
8 Senate Bill 450

- 9 - Removes provisions creating probation appearance bonds to
10 secure a defendants's appearance in future court
11 proceedings.
12 - Changes offenses which bail bond agents could provide
13 electronic monitoring for from "violent felonies" to
14 "forcible felonies."
15 - Deletes requirement that violations of pre-trial release
16 be reported by vendors to the appropriate authorities
17 within one hour of the offense.
18 - Removes requirement that electronic monitoring vendors
19 pay an annual \$300 fee to the court administrator.
20 - Deletes language which would have permitted the
21 Department of Corrections to refer certain offenders
22 sentenced to probation or community control to bail bond
23 agents for electronic monitoring.
24 - Adds a new Section 6 which authorizes and encourages the
25 Department of Corrections to electronically monitor
26 inmates, employees, and some visitors in state and
27 private correctional facilities. Sets forth
28 specifications for this equipment and provides third
29 degree felony penalties for damaging or tampering with
30 this equipment or its stored data.
31 - Adds a new Section 7 which authorizes and encourages the
Department of Juvenile Justice to electronically monitor
juveniles in its facilities. Establishes specifications
for that equipment and provides third degree felonies for
damaging or tampering with the equipment or its stored
data.