Florida Senate - 2006

CS for CS for SB 688

 ${\bf By}$ the Committees on Judiciary; Criminal Justice; and Senator Bennett

590-1900-06

1	A bill to be entitled
2	An act relating to arrests and arrestees;
3	amending s. 901.15, F.S.; prescribing
4	additional offenses for which a person may be
5	arrested on probable cause and without warrant;
6	amending s. 907.04, F.S.; providing that
7	arrestees in the custody of the Department of
8	Corrections at the time of arrest be retained
9	in the department's custody pending disposition
10	of the charge or until the expiration of the
11	arrestee's original sentence of imprisonment;
12	requiring application of specified provisions
13	if an arrested state prisoner's presence is
14	required in court; providing an effective date.
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16	Be It Enacted by the Legislature of the State of Florida:
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18	Section 1. Subsections (16) and (17) are added to
19	section 901.15, Florida Statutes, to read:
20	901.15 When arrest by officer without warrant is
21	lawfulA law enforcement officer may arrest a person without
22	a warrant when:
23	(16) There is probable cause to believe that the
24	person has committed an exposure of his or her sexual organs
25	in violation of s. 800.03.
26	(17) There is probable cause to believe that the
27	person has committed an act of voyeurism in violation of s.
28	810.14(1).
29	Section 2. Section 907.04, Florida Statutes, is
30	amended to read:
31	907.04 Disposition of defendant upon arrest
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CODING: Words stricken are deletions; words <u>underlined</u> are additions.

1	(1) Except as provided in subsection (2), if a person
2	who is arrested does not have a right to bail for the offense
3	charged, he or she shall be delivered immediately into the
4	custody of the sheriff of the county in which the indictment,
5	information, or affidavit is filed. If the person who is
6	arrested has a right to bail, he or she shall be released
7	after giving bond on the amount specified in the warrant.
8	(2) If the person who is arrested is, at the time of
9	arrest, in the custody of the Department of Corrections under
10	sentence of imprisonment, unless otherwise ordered by the
11	court, such person shall remain in the department's custody
12	pending disposition of the charge or until the person's
13	underlying sentence of imprisonment expires, whichever occurs
14	earlier. If the arrested state prisoner's presence is required
15	in court for any reason, the provisions of s. 944.17(8) shall
16	apply.
17	Section 3. This act shall take effect July 1, 2006.
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19	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR
20	<u>CS for Senate Bill 688</u>
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22	The committee substitute provides two additional circumstances for arrest without a warrant: when there is probable cause to
23	believe that a person has exposed his or her sexual organs or committed an act of voyeurism.
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