

By the Committee on Criminal Justice; and Senator Dockery

591-04021-08

2008622c1

1 A bill to be entitled

2 An act relating to orders of no contact; amending s.
3 921.244, F.S.; requiring that offenders convicted of
4 specified violent offenses be prohibited from having any
5 contact with the victim; providing penalties; providing
6 that the penalty for violation of such an order run
7 consecutive to the sentence for the original violation;
8 providing an effective date.

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

11
12 Section 1. Section 921.244, Florida Statutes, is amended to
13 read:

14 921.244 Order of no contact; penalties.--

15 (1) At the time of sentencing an offender convicted of a
16 violation of s. 794.011 or s. 800.04 or any offense in s.
17 775.084(1)(b)1.a.-o., the court shall order that the offender be
18 prohibited from having any contact with the victim, directly or
19 indirectly, including through a third person, for the duration of
20 the sentence imposed. The court may reconsider the order upon the
21 request of the victim if the request is made at any time after
22 the victim has attained 18 years of age. In considering the
23 request, the court shall conduct an evidentiary hearing to
24 determine whether a change of circumstances has occurred which
25 warrants a change in the court order prohibiting contact and
26 whether it is in the best interest of the victim that the court
27 order be modified or rescinded.

28 (2) Any offender who violates a court order issued under
29 this section commits a felony of the third degree, punishable as

591-04021-08

2008622c1

30 provided in s. 775.082, s. 775.083, or s. 775.084.

31 (3) The punishment imposed under this section shall run
32 consecutive to any former sentence imposed for a conviction for
33 any offense under s. 794.011 or s. 800.04 or any offense in s.
34 775.084(1)(b)1.a.-o.

35 Section 2. This act shall take effect October 1, 2008.