

1 A bill to be entitled
 2 An act relating to pretrial proceedings; providing a short
 3 title; amending s. 948.06, F.S.; providing that at the
 4 first appearance of a probationer or an offender on
 5 community control arrested for a new offense for which the
 6 court finds the existence of probable cause, the court may
 7 order pretrial detention or pretrial release of the person
 8 with or without bail to await further hearing to determine
 9 the outcome of a violation hearing; providing for
 10 dismissal if no affidavit alleging a violation of
 11 probation or community control is filed within a specified
 12 period; exempting persons subject to hearings under
 13 specified provisions; providing an effective date.

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

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 17 Section 1. This act may be cited as the "Officer Andrew
 18 Widman Act."

19 Section 2. Paragraphs (c) through (f) of subsection (1) of
 20 section 948.06, Florida Statutes, are redesignated as paragraphs
 21 (d) through (g), respectively, and a new paragraph (c) is added
 22 to that subsection to read:

23 948.06 Violation of probation or community control;
 24 revocation; modification; continuance; failure to pay
 25 restitution or cost of supervision.--

26 (1)

27 (c) Notwithstanding s. 907.041, at the first appearance of
 28 a probationer or an offender on community control arrested for a

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29 new offense for which the court finds the existence of probable
30 cause, the court may order pretrial detention or pretrial
31 release of the person with or without bail to await further
32 hearing to determine the outcome of a violation hearing. If no
33 affidavit alleging a violation of probation or community control
34 is filed with the court within 10 days after arrest for the new
35 offense, the order regarding pretrial detention or pretrial
36 release on the uncharged violation of probation or community
37 control shall be dismissed. This paragraph does not apply to a
38 probationer or community controllee subject to a hearing on his
39 or her danger to the community required under subsection (4) or
40 paragraph (8) (e).

41 Section 3. This act shall take effect October 1, 2009.