

1 A bill to be entitled
 2 An act relating to sexual offenders and predators;
 3 amending s. 903.046, F.S.; requiring a court considering
 4 whether to release a defendant on bail to determine
 5 whether the defendant is subject to registration as a
 6 sexual offender or predator and, if so, to hold the
 7 defendant without bail until the first appearance on the
 8 case; providing an effective date.

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

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 12 Section 1. Paragraphs (m) and (n) are added to subsection
 13 (2) of section 903.046, Florida Statutes, to read:

14 903.046 Purpose of and criteria for bail determination.—

15 (2) When determining whether to release a defendant on
 16 bail or other conditions, and what that bail or those conditions
 17 may be, the court shall consider:

18 (m) Whether the defendant is required to register as a
 19 sexual offender under s. 943.0435; and, if so, he or she is not
 20 eligible for release on bail or surety bond until the first
 21 appearance on the case in order to ensure the full participation
 22 of the prosecutor and the protection of the public.

23 (n) Whether the defendant is required to register as a
 24 sexual predator under s. 775.21; and, if so, he or she is not
 25 eligible for release on bail or surety bond until the first
 26 appearance on the case in order to ensure the full participation
 27 of the prosecutor and the protection of the public.

28 Section 2. This act shall take effect July 1, 2011.