

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 exception; 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, other than a defendant whose
 19 only criminal charge is a misdemeanor offense under chapter 316,
 20 is required to register as a sexual offender under s. 943.0435;
 21 and, if so, he or she is not eligible for release on bail or
 22 surety bond until the first appearance on the case in order to
 23 ensure the full participation of the prosecutor and the
 24 protection of the public.

25 (n) Whether the defendant, other than a defendant whose
 26 only criminal charge is a misdemeanor offense under chapter 316,
 27 is required to register as a sexual predator under s. 775.21;
 28 and, if so, he or she is not eligible for release on bail or

CS/HB 265

2011

29 surety bond until the first appearance on the case in order to
30 ensure the full participation of the prosecutor and the
31 protection of the public.

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