

HB 4161

2012

1                   A bill to be entitled  
2       An act relating to probation and community control;  
3       amending s. 948.01, F.S.; deleting provisions  
4       requiring the Department of Corrections to develop and  
5       disseminate to the courts uniform order of supervision  
6       forms and requiring the courts to use the forms;  
7       providing an effective date.

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

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11       Section 1. Subsection (1) of section 948.01, Florida  
12       Statutes, is amended to read:

13       948.01 When court may place defendant on probation or into  
14       community control.—

15       (1) Any state court having original jurisdiction of  
16       criminal actions may at a time to be determined by the court,  
17       with or without an adjudication of the guilt of the defendant,  
18       hear and determine the question of the probation of a defendant  
19       in a criminal case, except for an offense punishable by death,  
20       who has been found guilty by the verdict of a jury, has entered  
21       a plea of guilty or a plea of nolo contendere, or has been found  
22       guilty by the court trying the case without a jury.

23       ~~(a)~~ If the court places the defendant on probation or into  
24       community control for a felony, the department shall provide  
25       immediate supervision by an officer employed in compliance with  
26       the minimum qualifications for officers as provided in s.  
27       943.13. A private entity may not provide probationary or  
28       supervision services to felony or misdemeanor offenders

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29 | sentenced or placed on probation or other supervision by the  
30 | circuit court.

31 | ~~(b) The department, in consultation with the Office of the~~  
32 | ~~State Courts Administrator, shall develop and disseminate to the~~  
33 | ~~courts uniform order of supervision forms by July 1 of each year~~  
34 | ~~or as necessary. The courts shall use the uniform order of~~  
35 | ~~supervision forms provided by the department for all persons~~  
36 | ~~placed on community supervision.~~

37 | Section 2. This act shall take effect July 1, 2012.