



27 immediately and enforceable for the duration of the pretrial  
28 release or until it is modified by the court. The defendant  
29 shall receive a copy of the order of no contact which specifies  
30 the applicable prohibited acts before the defendant is released  
31 from custody on pretrial release. As used in this section,  
32 unless otherwise specified by the court, the term "no contact"  
33 includes the following prohibited acts:

34 1. Communicating orally or in any written form, either in  
35 person, telephonically, electronically, or in any other manner,  
36 either directly or indirectly through a third person, with the  
37 victim or any other person named in the order.

38 2. Having physical or violent contact with the victim or  
39 other named person or his or her property.

40 3. Being within 500 feet of the victim's or other named  
41 person's residence, even if the defendant and the victim or  
42 other named person share the residence.

43 4. Being within 500 feet of the victim's or other named  
44 person's vehicle, place of employment, or a specified place  
45 frequented regularly by such person.

46 (c) Comply with all conditions of pretrial release.

47 (2) Upon motion by the defendant when bail is set, or upon  
48 later motion properly noticed pursuant to law, the court may  
49 modify the condition required by paragraph (1)(b) if good cause  
50 is shown and the interests of justice so require. The victim  
51 shall be permitted to be heard at any proceeding in which such  
52 modification is considered, and the state attorney shall notify

53 the victim of the provisions of this subsection and of the  
54 pendency of any such proceeding.

55 Section 2. For the purpose of incorporating the amendment  
56 made by this act to section 903.047, Florida Statutes, in a  
57 reference thereto, subsection (6) of section 741.29, Florida  
58 Statutes, is reenacted to read:

59 741.29 Domestic violence; investigation of incidents;  
60 notice to victims of legal rights and remedies; reporting.—

61 (6) A person who willfully violates a condition of  
62 pretrial release provided in s. 903.047, when the original  
63 arrest was for an act of domestic violence as defined in s.  
64 741.28, commits a misdemeanor of the first degree, punishable as  
65 provided in s. 775.082 or s. 775.083, and shall be held in  
66 custody until his or her first appearance.

67 Section 3. For the purpose of incorporating the amendment  
68 made by this act to section 903.047, Florida Statutes, in a  
69 reference thereto, subsections (13) and (15) of section 784.046,  
70 Florida Statutes, are reenacted to read:

71 784.046 Action by victim of repeat violence, sexual  
72 violence, or dating violence for protective injunction; dating  
73 violence investigations, notice to victims, and reporting;  
74 pretrial release violations; public records exemption.—

75 (13) Whenever a law enforcement officer determines upon  
76 probable cause that an act of dating violence has been committed  
77 within the jurisdiction, or that a person has violated a  
78 condition of pretrial release as provided in s. 903.047 and the

CS/HB 717

2015

79 original arrest was for an act of dating violence, the officer  
80 may arrest the person or persons suspected of its commission and  
81 charge such person or persons with the appropriate crime. The  
82 decision to arrest and charge shall not require consent of the  
83 victim or consideration of the relationship of the parties.

84 (15) A person who willfully violates a condition of  
85 pretrial release provided in s. 903.047, when the original  
86 arrest was for an act of dating violence as defined in this  
87 section, commits a misdemeanor of the first degree, punishable  
88 as provided in s. 775.082 or s. 775.083, and shall be held in  
89 custody until his or her first appearance.

90 Section 4. For the purpose of incorporating the amendment  
91 made by this act to section 903.047, Florida Statutes, in a  
92 reference thereto, subsection (13) of section 901.15, Florida  
93 Statutes, is reenacted to read:

94 901.15 When arrest by officer without warrant is lawful.—A  
95 law enforcement officer may arrest a person without a warrant  
96 when:

97 (13) There is probable cause to believe that the person  
98 has committed an act that violates a condition of pretrial  
99 release provided in s. 903.047 when the original arrest was for  
100 an act of domestic violence as defined in s. 741.28, or when the  
101 original arrest was for an act of dating violence as defined in  
102 s. 784.046.

103 Section 5. This act shall take effect October 1, 2015.