

20161412e1

1 A bill to be entitled
2 An act relating to orders of no contact; amending s.
3 903.047, F.S.; revising the requirements for notifying
4 a defendant of a no contact order if issued by the
5 court as a condition of pretrial release; providing an
6 effective date.

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

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10 Section 1. Subsection (1) of section 903.047, Florida
11 Statutes, is amended to read:

12 903.047 Conditions of pretrial release.—

13 (1) As a condition of pretrial release, whether such
14 release is by surety bail bond or recognizance bond or in some
15 other form, the defendant must:

16 (a) Refrain from criminal activity of any kind.

17 (b) If the court issues an order of no contact, refrain
18 from any contact of any type with the victim, except through
19 pretrial discovery pursuant to the Florida Rules of Criminal
20 Procedure. An order of no contact is effective immediately and
21 enforceable for the duration of the pretrial release or until it
22 is modified by the court. The defendant shall be informed in
23 writing ~~receive a copy~~ of the order of no contact, specifying
24 ~~which specifies~~ the applicable prohibited acts, before the
25 defendant is released from custody on pretrial release. As used
26 in this section, unless otherwise specified by the court, the
27 term "no contact" includes the following prohibited acts:

28 1. Communicating orally or in any written form, either in
29 person, telephonically, electronically, or in any other manner,

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30 either directly or indirectly through a third person, with the
31 victim or any other person named in the order. If the victim and
32 the defendant have children in common, at the request of the
33 defendant, the court may designate an appropriate third person
34 to contact the victim for the sole purpose of facilitating the
35 defendant's contact with the children. However, this
36 subparagraph does not prohibit an attorney for the defendant,
37 consistent with rules regulating The Florida Bar, from
38 communicating with any person protected by the no contact order
39 for lawful purposes.

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

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

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

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

49 Section 2. This act shall take effect July 1, 2016.