

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 issued as a
 5 condition of pretrial release; providing an effective
 6 date.

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

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) Refrain from any contact of any type with the victim,
 18 except through pretrial discovery pursuant to the Florida Rules
 19 of Criminal Procedure.

20 (c) If the court issues an order of no contact, comply
 21 with the order. An order of no contact is effective immediately
 22 and enforceable for the duration of the pretrial release or
 23 until it is modified by the court. The defendant shall be
 24 informed in writing ~~receive a copy~~ of the order of no contact,
 25 specifying ~~which specifies~~ the applicable prohibited acts,
 26 before the defendant is released from custody on pretrial

27 | release. As used in this section, unless otherwise specified by
28 | the court, the term "no contact" includes the following
29 | prohibited acts:

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

42 | 2. Having physical or violent contact with the victim or
43 | other named person or his or her property.

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

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

50 | (d)~~(e)~~ Comply with all conditions of pretrial release.

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