

1 A bill to be entitled
 2 An act relating to probationary or supervision
 3 services; amending s. 948.01, F.S.; deleting a
 4 prohibition on private entities providing probationary
 5 or supervision services to certain misdemeanor
 6 offenders; providing an 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. Paragraph (a) of subsection (1) and subsection
 11 (5) of section 948.01, Florida Statutes, are amended to read:

12 948.01 When court may place defendant on probation or into
 13 community control.—

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

22 (a) If the court places the defendant on probation or into
 23 community control for a felony, the department shall provide
 24 immediate supervision by an officer employed in compliance with
 25 the minimum qualifications for officers as provided in s.

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26 | 943.13. A private entity may not provide probationary or
27 | supervision services to felony ~~or misdemeanor~~ offenders
28 | sentenced or placed on probation or other supervision ~~by the~~
29 | ~~circuit court~~.

30 | (5) The imposition of sentence may not be suspended and
31 | the defendant thereupon placed on probation or into community
32 | control unless the defendant is placed under the custody of the
33 | department or another public or private entity. A private entity
34 | may not provide probationary or supervision services to felony
35 | ~~or misdemeanor~~ offenders sentenced or placed on probation or
36 | other supervision by the circuit court.

37 | Section 2. This act shall take effect July 1, 2018.