

By Senator Gainer

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A bill to be entitled
An act relating to probationary or supervision services for misdemeanor offenders; amending s. 948.01, F.S.; deleting a prohibition on private entities providing probationary or supervision services to certain misdemeanor offenders; providing an effective date.

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

Section 1. Paragraph (a) of subsection (1) and subsection (5) of section 948.01, Florida Statutes, are amended to read:
948.01 When court may place defendant on probation or into community control.—

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

(a) If the court places the defendant on probation or into community control for a felony, the department shall provide immediate supervision by an officer employed in compliance with the minimum qualifications for officers as provided in s. 943.13. A private entity may not provide probationary or

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30 supervision services to felony ~~or misdemeanor~~ offenders
31 sentenced or placed on probation or other supervision ~~by the~~
32 ~~circuit court~~.

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

40 Section 2. This act shall take effect July 1, 2021.