

1 A bill to be entitled
 2 An act relating to probationary or supervision
 3 services for misdemeanor offenders; amending s.
 4 948.01, F.S.; deleting a prohibition on private
 5 entities providing probationary or supervision
 6 services to certain misdemeanor offenders; providing
 7 an effective date.

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

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 11 Section 1. Paragraph (a) of subsection (1) and subsection
 12 (5) of section 948.01, Florida Statutes, are amended to read:

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

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

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

26 | the minimum qualifications for officers as provided in s.
27 | 943.13. A private entity may not provide probationary or
28 | supervision services to felony ~~or misdemeanor~~ offenders
29 | sentenced or placed on probation or other supervision ~~by the~~
30 | ~~circuit court~~.

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

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