

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; amending s.
7 948.15, F.S.; authorizing a private or public entity
8 to provide probation services and other specified
9 programming to misdemeanor offenders; providing an
10 effective date.

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

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

16 948.01 When court may place defendant on probation or into
17 community control.—

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

26 (a) If the court places the defendant on probation or into
 27 community control for a felony, the department shall provide
 28 immediate supervision by an officer employed in compliance with
 29 the minimum qualifications for officers as provided in s.
 30 943.13. A private entity may not provide probationary or
 31 supervision services to felony ~~or misdemeanor~~ offenders
 32 sentenced or placed on probation or other supervision ~~by the~~
 33 ~~circuit court~~.

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

41 Section 2. Subsection (2) of section 948.15, Florida
 42 Statutes, is amended to read:

43 948.15 Misdemeanor probation services.—

44 (2) A private entity or public entity, including a
 45 licensed substance abuse education and intervention program,
 46 under the supervision of the board of county commissioners or
 47 the court may provide probation services and licensed substance
 48 abuse education and treatment intervention programs for
 49 misdemeanor offenders sentenced or placed on probation ~~by the~~
 50 ~~county court~~.

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2021

51 | Section 3. This act shall take effect July 1, 2021. |