By Senator Stewart

13-01697A-22   20221462__

1   A bill to be entitled
2   An act relating to withholding funds from the return
3   of cash bonds; amending s. 903.286, F.S.; requiring a
4   clerk of the court to withhold from the return of a
5   cash bond posted by a criminal defendant on his or her
6   own behalf, rather than to withhold from the return of
7   a cash bond posted on behalf of the criminal defendant
8   by a person other than a bail bond agent, sufficient
9   funds to pay specified unpaid costs, fees, and
10   penalties; providing an 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. Subsection (1) of section 903.286, Florida
15   Statutes, is amended to read:
16   903.286 Return of cash bond; requirement to withhold unpaid
17   fines, fees, court costs; cash bond forms.—
18   (1) Notwithstanding s. 903.31(2), the clerk of the court
19   shall withhold from the return of a cash bond posted by <s>on</s>
20   <s>behalf of</s> a criminal defendant <u>on his or her own behalf</u> <s>by a</s>
21   <s>person other than a bail bond agent licensed pursuant to chapter</s>
22   <s>648</s> sufficient funds to pay any unpaid costs of prosecution,
23   costs of representation as provided by ss. 27.52 and 938.29,
24   court fees, court costs, and criminal penalties. If sufficient
25   funds are not available to pay all unpaid costs of prosecution,
26   costs of representation as provided by ss. 27.52 and 938.29,
27   court fees, court costs, and criminal penalties, the clerk of
28   the court shall immediately obtain payment from the defendant or
29   enroll the defendant in a payment plan pursuant to s. 28.246.

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30   Section 2. This act shall take effect July 1, 2022.