

The Florida Senate
HOUSE MESSAGE SUMMARY

Prepared By: The Professional Staff of the Committee on Criminal Justice

[2023s01478.hms.cj]

BILL: CS/SB 1478, 1st Eng.
INTRODUCER: Criminal Justice Committee and Senator Simon
SUBJECT: Criminal Sentencing
DATE: May 3, 2023

I. Amendments Contained in Message:

House Amendment – 224833 (body with title)

II. Summary of Amendments Contained in Message:

House Amendment – 224833 revises the time period and requirements relevant to the release without bail of a probationer or offender with an alleged low risk violation.

The bill, prior to the amendment, required the court, within 20 days after arrest, to give the probationer or offender an opportunity to be fully heard on his or her behalf in person or by counsel. If no hearing is held within 20 days after arrest, the court must release the probationer or offender without bail. The court may impose nonmonetary conditions of release.

The amendment requires the court, within 30 days after arrest or after counsel appears for the probationer or offender, whichever occurs later, to give the probationer or offender an opportunity to be fully heard on his or her behalf in person or by counsel. If no hearing is held within 30 days after arrest or after counsel appears for the probationer or offender, whichever occurs later, the court must release the probationer or offender without bail unless the court finds that the hearing was not held in the applicable time frame due to circumstances attributable to the probationer or offender. If the probationer or offender is released, the court may impose nonmonetary conditions of release.