

1 A bill to be entitled
2 An act relating to violations of pretrial release
3 conditions for violent crimes; providing a short
4 title; creating s. 903.0472, F.S.; providing that a
5 person who is on pretrial release for a specified
6 violent crime commits a separate criminal offense if
7 such person willfully violates certain conditions of
8 pretrial release; providing a penalty for a second or
9 subsequent violation; specifying procedures at the
10 person's first appearance hearing; requiring the court
11 to consider certain factors in determining whether to
12 order pretrial detention or grant pretrial release;
13 providing that a law enforcement officer is not liable
14 in a civil action for an arrest of a person based on
15 probable cause to believe that the person has violated
16 a condition of pretrial release in specified
17 circumstances; amending s. 901.15, F.S.; authorizing a
18 law enforcement officer to arrest a person without a
19 warrant if there is probable cause to believe that the
20 person has willfully violated certain conditions of
21 pretrial release; providing an effective date.

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

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25 **Section 1.** This act may be cited as the "Victim Safety in

26 Pretrial Release Act."

27 **Section 2. Section 903.0472, Florida Statutes, is created**
28 **to read:**

29 903.0472 Violations of pretrial release for specified
30 crimes.—

31 (1) A person commits a misdemeanor of the first degree,
32 punishable as provided in s. 775.082 or s. 775.083, if he or she
33 willfully violates a condition of pretrial release described in
34 s. 903.047(1)(b) which a court imposed after he or she was
35 arrested for committing any of the following offenses:

36 (a) Murder, as defined in s. 782.04;

37 (b) Manslaughter, as defined in s. 782.07;

38 (c) Assault, as defined in s. 784.011;

39 (d) Aggravated assault, as defined in s. 784.021;

40 (e) Battery, as defined in s. 784.03;

41 (f) Aggravated battery, as defined in s. 784.045;

42 (g) Stalking, as defined in s. 784.048(2);

43 (h) Aggravated stalking, as defined in s. 784.048(3), (4),
44 (5), or (7);

45 (i) Kidnapping, as defined in s. 787.01;

46 (j) False imprisonment, as defined in s. 787.02;

47 (k) Sexual battery, as defined in s. 794.011;

48 (l) Lewd or lascivious offenses committed upon or in the
49 presence of persons less than 16 years of age, as described in
50 s. 800.04;

51 (m) Robbery, as defined in s. 812.13;

52 (n) Written or electronic threats to kill or do bodily
53 injury, as described in s. 836.10; or

54 (o) Any other felony that involves the use or threat of
55 physical force or violence against any individual.

56 (2) A person commits a felony of the third degree,
57 punishable as provided in s. 775.082, s. 775.083, or s. 775.084,
58 if he or she commits a second or subsequent violation of
59 subsection (1).

60 (3) A person who is arrested for a violation of this
61 section shall be held in custody until his or her first
62 appearance hearing, at which time the court shall review the
63 alleged violation and determine whether to order pretrial
64 detention or to grant pretrial release with appropriate
65 conditions. In making such determinations, the court shall
66 prioritize the safety of the victim and the public and, in
67 addition to the criteria in s. 903.046(2), shall also consider:

68 (a) The nature and severity of the underlying offense for
69 which conditions of pretrial release were imposed.

70 (b) The person's history of compliance with court orders.

71 (c) Any evidence of the person's intent to intimidate,
72 harass, or harm any person.

73 (4) A law enforcement officer may not be held liable in
74 any civil action for an arrest of a person based on probable
75 cause to believe that the person has violated this section.

76 **Section 3. Subsection (17) is added to section 901.15,**
77 **Florida Statutes, to read:**

78 901.15 When arrest by officer without warrant is lawful.—A
79 law enforcement officer may arrest a person without a warrant
80 when:

81 (17) There is probable cause to believe that the person
82 has committed a violation of s. 903.0472(1), for willfully
83 violating a condition of pretrial release for a specified crime.

84 **Section 4.** This act shall take effect October 1, 2026.