

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; requiring a person who is
10 arrested for committing specified violations to be
11 held in custody until his or her first appearance
12 hearing; requiring the court to consider certain
13 factors in determining whether to order pretrial
14 detention or grant pretrial release; providing that a
15 law enforcement officer is not liable in a civil
16 action for an arrest of a person based on probable
17 cause to believe that the person has violated a
18 condition of pretrial release in specified
19 circumstances; amending s. 901.15, F.S.; authorizing a
20 law enforcement officer to arrest a person without a
21 warrant if there is probable cause to believe that the
22 person has willfully violated certain conditions of
23 pretrial release; providing an effective date.

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

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27 **Section 1.** This act may be cited as the "Victim Safety in
28 Pretrial Release Act."

29 **Section 2. Section 903.0472, Florida Statutes, is created**
30 **to read:**

31 903.0472 Violations of pretrial release for specified
32 crimes.—

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

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

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

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

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

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

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

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

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

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

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

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

50 (l) Lewd or lascivious offenses committed upon or in the

51 presence of persons less than 16 years of age, as described in
52 s. 800.04;

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

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

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

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

62 (3) A person who is arrested for a violation of this
63 section or who is on pretrial release for committing an offense
64 specified in subsection (1) and who is arrested for committing a
65 new law violation shall be held in custody until his or her
66 first appearance hearing, at which time the court shall review
67 the alleged violation and determine whether to order pretrial
68 detention or to grant pretrial release with appropriate
69 conditions. In making such determinations, the court shall
70 prioritize the safety of the victim and the public and, in
71 addition to the criteria in s. 903.046(2), shall also consider:

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

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

75 (c) Any evidence of the person's intent to intimidate,

76 | harass, or harm any person.

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

80 | **Section 3. Subsection (17) is added to section 901.15,**
81 | **Florida Statutes, to read:**

82 | 901.15 When arrest by officer without warrant is lawful.—A
83 | law enforcement officer may arrest a person without a warrant
84 | when:

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

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