



LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/02/2026	.	
	.	
	.	
	.	

---

The Committee on Criminal Justice (McClain) recommended the following:

1                   **Senate Amendment (with title amendment)**

2  
3                   Delete everything after the enacting clause  
4 and insert:

5                   Section 1. This act may be cited as the "Victim Safety in  
6 Pretrial Release Act."

7                   Section 2. Section 903.0472, Florida Statutes, is created  
8 to read:

9                   903.0472 Violations of pretrial release for specified  
10 crimes.-



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

16        (a) Murder, as defined in s. 782.04;  
17        (b) Manslaughter, as defined in s. 782.07;  
18        (c) Assault, as defined in s. 784.011;  
19        (d) Aggravated assault, as defined in s. 784.021;  
20        (e) Battery, as defined in s. 784.03;  
21        (f) Aggravated battery, as defined in s. 784.045;  
22        (g) Stalking, as defined in s. 784.048(2);  
23        (h) Aggravated stalking, as defined in s. 784.048(3), (4),  
24        (5), or (7);  
25        (i) Kidnapping, as defined in s. 787.01;  
26        (j) False imprisonment, as defined in s. 787.02;  
27        (k) Sexual battery, as defined in s. 794.011;  
28        (l) Lewd or lascivious offenses committed upon or in the  
29        presence of persons less than 16 years of age, as described in  
30        s. 800.04;  
31        (m) Robbery, as defined in s. 812.13;  
32        (n) Written or electronic threats to kill or do bodily  
33        injury, as described in s. 836.10; or  
34        (o) Any other felony that involves the use or threat of  
35        physical force or violence against any individual.

36        (2) A person commits a felony of the third degree,  
37        punishable as provided in s. 775.082, s. 775.083, or s. 775.084,  
38        if he or she commits a second or subsequent violation of  
39        subsection (1).



40        (3) A person who is arrested for a violation of this  
41        section or who is on pretrial release for committing an offense  
42        specified in subsection (1) and who is arrested for committing a  
43        new law violation shall be held in custody until his or her  
44        first appearance hearing, at which time the court shall review  
45        the alleged violation and determine whether to order pretrial  
46        detention or to grant pretrial release with appropriate  
47        conditions. In making such determinations, the court shall  
48        prioritize the safety of the victim and the public and, in  
49        addition to the criteria in s. 903.046(2), shall also consider:

50        (a) The nature and severity of the underlying offense for  
51        which conditions of pretrial release were imposed.  
52        (b) The person's history of compliance with court orders.  
53        (c) Any evidence of the person's intent to intimidate,  
54        harass, or harm any person.

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

58        Section 3. Subsection (17) is added to section 901.15,  
59        Florida Statutes, to read:

60        901.15 When arrest by officer without warrant is lawful.—A  
61        law enforcement officer may arrest a person without a warrant  
62        when:

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

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

67        ===== T I T L E   A M E N D M E N T =====



69 And the title is amended as follows:  
70 Delete everything before the enacting clause  
71 and insert:  
72                   A bill to be entitled  
73                   An act relating to violations of pretrial release  
74                   conditions for violent crimes; providing a short  
75                   title; creating s. 903.0472, F.S.; providing that a  
76                   person who is on pretrial release for a specified  
77                   violent crime commits a separate criminal offense if  
78                   such person willfully violates certain conditions of  
79                   pretrial release; providing criminal penalties;  
80                   providing criminal penalties for a second or  
81                   subsequent violation; requiring a person who is  
82                   arrested for committing specified violations to be  
83                   held in custody until his or her first appearance  
84                   hearing; requiring the court to consider certain  
85                   factors in determining whether to order pretrial  
86                   detention or grant pretrial release; providing that a  
87                   law enforcement officer is not liable in a civil  
88                   action for an arrest of a person based on probable  
89                   cause to believe that the person has violated a  
90                   condition of pretrial release in specified  
91                   circumstances; amending s. 901.15, F.S.; authorizing a  
92                   law enforcement officer to arrest a person without a  
93                   warrant if there is probable cause to believe that the  
94                   person has willfully violated certain conditions of  
95                   pretrial release; providing an effective date.