

# CHAPTER 2006-99

## House Bill No. 271

An act relating to arrests and arrestees; amending s. 907.04, F.S.; providing that arrestees in the custody of the Department of Corrections at the time of arrest be retained in the department's custody pending disposition of the charge or until the expiration of the arrestee's original sentence of imprisonment; requiring application of specified provisions if an arrested state prisoner's presence is required in court; providing an effective date.

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

Section 1. Section 907.04, Florida Statutes, is amended to read:

907.04 Disposition of defendant upon arrest.—

(1) Except as provided in subsection (2), if a person who is arrested does not have a right to bail for the offense charged, he or she shall be delivered immediately into the custody of the sheriff of the county in which the indictment, information, or affidavit is filed. If the person who is arrested has a right to bail, he or she shall be released after giving bond on the amount specified in the warrant.

(2) If the person who is arrested is, at the time of arrest, in the custody of the Department of Corrections under sentence of imprisonment, unless otherwise ordered by the court, such person shall remain in the department's custody pending disposition of the charge or until the person's underlying sentence of imprisonment expires, whichever occurs earlier. If the arrested state prisoner's presence is required in court for any reason, the provisions of s. 944.17(8) shall apply.

Section 2. This act shall take effect July 1, 2006.

Approved by the Governor June 7, 2006.

Filed in Office Secretary of State June 7, 2006.