

Committee on Criminal Justice

HB 661 — Modification or Continuation of Terms of Probation

by Rep. Botana (CS/SB 1088 by Criminal Justice Committee and Senator Rodrigues)

The bill amends s. 948.06, F.S., providing that a court must modify or continue a probationary term upon finding that a probationer has committed certain technical violations when all, rather than any, of the following apply:

- The term of supervision is probation;
- The probationer does not qualify as a violent felony offender of special concern;
- The violation is a low-risk technical violation, as defined in s. 948.06(9)(b), F.S.; and
- The court has not previously found the probationer in violation of his or her probation pursuant to a filed violation of probation affidavit during the current term of supervision. A probationer who has successfully completed sanctions through the alternative sanctioning program is eligible for mandatory modification or continuation of his or her probation.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 40-0; House 116-0