

Bill No. SB 622



173278

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: WD	.	
2/6/2008	.	
	.	
	.	

1 The Committee on Criminal Justice Dockery moved the following  
 2 **substitute for amendment (640878):**

**Senate Amendment (with title amendment)**

5 Delete everything after the enacting clause  
6 and insert:

7 Section 1. Section 921.244, Florida Statutes, is amended to  
8 read:

9 921.244 Order of no contact; penalties.--

10 (1) At the time of sentencing an offender convicted of a  
 11 violation of s. 794.011 or s. 800.04 or any offense in s.  
 12 775.084(1)(b)1.a.-o., the court shall order that the offender be  
 13 prohibited from having any contact with the victim, directly or  
 14 indirectly, including through a third person, for the duration  
 15 of the sentence imposed. The court may reconsider the order upon



16 the request of the victim if the request is made at any time  
 17 after the victim has attained 18 years of age or upon the  
 18 request of a guardian ad litem on behalf of a child victim if  
 19 the guardian ad litem affirms that he or she believes that the  
 20 contact would not be harmful to the child. In considering the  
 21 request, the court shall conduct an evidentiary hearing to  
 22 determine whether a change of circumstances has occurred which  
 23 warrants a change in the court order prohibiting contact and  
 24 whether it is in the best interest of the victim that the court  
 25 order be modified or rescinded.

26 (2) Any offender who violates a court order issued under  
 27 this section commits a felony of the third degree, punishable as  
 28 provided in s. 775.082, s. 775.083, or s. 775.084.

29 (3) The punishment imposed under this section shall run  
 30 consecutive to any former sentence imposed for a conviction for  
 31 any offense under s. 794.011 or s. 800.04 or any offense in s.  
 32 775.084(1)(b)1.a.-o.

33 Section 2. This act shall take effect October 1, 2008.

34  
 35 ===== T I T L E A M E N D M E N T =====

36 And the title is amended as follows:

37 Delete everything before the enacting clause  
 38 and insert:

39 A bill to be entitled  
 40 An act relating to orders of no contact; amending s.  
 41 921.244, F.S.; requiring that offenders convicted of  
 42 specified violent offenses be prohibited from having any  
 43 contact with the victim; providing that a guardian ad



173278

44 |       litem of a child victim may request the court to  
45 |       reconsider the order prohibiting the offender from having  
46 |       contact with the child victim under certain circumstances;  
47 |       providing penalties; providing that the penalty for  
48 |       violation of such an order run consecutive to the sentence  
49 |       for the original violation; providing an effective date.