

Supreme Court of Florida

No. AOSC23-88

IN RE: UNIFORM STATEWIDE BOND SCHEDULE

ADMINISTRATIVE ORDER

Effective January 1, 2024, the Florida Supreme Court hereby issues a uniform statewide bond schedule to the extent it is procedural. This bond schedule applies when the police or county jail or pretrial release employees exercise their discretion to release a person on bond before that person's first appearance hearing. The uniform statewide bond schedule shall not bind a judge in an individual case who is conducting a first appearance hearing or bail determination.

The chief judge of a judicial circuit may establish a local bond schedule that adds conditions of release and/or increases the bond amounts above those required by this schedule. The chief judge of a judicial circuit may petition this Court for approval of a local bond schedule that sets lower bond amounts than those required by this schedule.

§ 903.011(6), Florida Statutes, states in pertinent part: A person may not be released before his or her first appearance hearing . . . if the person meets any of the following criteria:

(a) The person was, at the time of arrest for any felony, on pretrial release, probation, or community control in this state or any other state;

(b) The person was, at the time of arrest, designated as a sexual offender or sexual predator in this state or any other state;

(c) The person was arrested for violating a protective injunction;

(d) The person was, at the time of arrest, on release from supervision under s. 947.1405, s. 947.146, s. 947.149, or s. 944.4731;

(e) The person has, at any time before the current arrest, been sentenced pursuant to s. 775.082(9) or s. 775.084 as a prison releasee reoffender, habitual violent felony offender, three-time violent felony offender, or violent career criminal;

(f) The person has been arrested three or more times in the 6 months immediately preceding his or her arrest for the current offense; or

(g) The person's current offense of arrest is for one or more of the following crimes:

1. A capital felony, life felony, felony of the first degree, or felony of the second degree;

2. A homicide under chapter 782; or any attempt, solicitation, or conspiracy to commit a homicide;

3. Assault in furtherance of a riot or an aggravated riot; felony battery; domestic battery by strangulation; domestic violence, as defined in s. 741.28; stalking; mob intimidation; assault or battery on a law enforcement officer; assault or battery on juvenile probation officer, or other staff of a detention center or commitment facility, or a staff member of a commitment facility, or health services personnel; assault or battery on a person 65 years of age or older; robbery; burglary; carjacking; or resisting an officer with violence;

4. Kidnapping, false imprisonment, human trafficking, or human smuggling;

5. Possession of a firearm or ammunition by a felon, violent career criminal, or person subject to an injunction against committing acts of domestic violence, stalking, or cyberstalking;

6. Sexual battery; indecent, lewd, or lascivious touching; exposure of sexual organs; incest; luring or enticing a child; or child pornography;

7. Abuse, neglect, or exploitation of an elderly person or disabled adult;

8. Child abuse or aggravated child abuse;

9. Arson; riot, aggravated riot, inciting a riot, or aggravated inciting a riot; or a burglary or theft during a riot;

10. Escape; tampering or retaliating against a witness, victim, or informant; destruction of evidence; or tampering with a jury;

11. Any offense committed for the purpose of benefitting, promoting, or furthering the interests of a criminal gang;

12. Trafficking in a controlled substance, including conspiracy to engage in trafficking in a controlled substance;

13. Racketeering; or

14. Failure to appear at required court proceedings while on bail.

Pursuant to § 903.047(1)(a), Florida Statutes, and Florida Rule of Criminal Procedure 3.131(a), an arrested person released from jail before trial must refrain from criminal activity of any kind and

must refrain from any contact of any type with the victim, except through pretrial discovery pursuant to the Florida Rules of Criminal Procedure. A violation of either of these conditions of pretrial release subjects the arrestee to revocation of bond.

Each crime of arrest requires a separate bond pursuant to § 903.02(4), Florida Statutes, and Florida Rule of Criminal Procedure 3.131(b)(2).

The bond schedule below is effective from January 1, 2024 through December 31, 2024.

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| 1. For persons arrested for a crime listed in § 903.011(6), Fla. Stat., or who meet the criteria in § 903.011(6), Fla. Stat. | Bond: None 1st appearance required. |
| 2. For persons not covered by number 1., arrested for a third degree felony that involves any amount of force or threat of force against a person. | Bond: \$5,000 |
| 3. For persons not covered by number 1., arrested for a third degree felony that does not involve any force or threat of force against a person. | Bond: \$2,500 |
| 4. For persons not covered by number 1., arrested for a first degree misdemeanor or an ordinance punishable like a first degree misdemeanor, that involves any amount of force or threat of force against a person. | Bond: \$1,000 |

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| 5. | For persons not covered by number 1., arrested for a first degree misdemeanor or an ordinance punishable like a first degree misdemeanor, that does not involve any force or threat of force against a person and that is not driving under the influence or boating under the influence. | Bond: \$500 |
| 6. | For persons not covered by number 1., arrested for a second degree misdemeanor or an ordinance punishable like a second degree misdemeanor, that involves any amount of force or threat of force against a person. | Bond: \$250 |
| 7. | For persons not covered by number 1., arrested for a second degree misdemeanor or an ordinance punishable like a second degree misdemeanor, that does not involve force or threat of force against a person and that is not driving under the influence or boating under the influence. | Bond: \$150 |
| 8. | For persons not covered by numbers 1. or 3., arrested for driving under the influence or boating under the influence. | |
| | a. First degree misdemeanor. | Bond: \$1,000 |
| | b. Second offense, second degree misdemeanor. | Bond: \$750 |
| | c. First offense, second degree misdemeanor. | Bond: \$500 |

DONE AND ORDERED at Tallahassee, Florida, on December 12, 2023.

C. Muriel
AOSC23-88

Chief Justice Carlos G. Muriel
AOSC23-88 12/12/23

ATTEST:

[Signature]
AOSC23-88 12/12/2023

John A. Tomasino, Clerk of Court
AOSC23-88 12/12/2023

