

**IN THE THIRTEENTH JUDICIAL CIRCUIT
HILLSBOROUGH COUNTY, FLORIDA**

**ADMINISTRATIVE ORDER S-2023-058
(Supersedes Administrative Order S-2021-025)**

UNIFORM STATEWIDE BOND SCHEDULE

For decades this circuit has adopted a uniform bail bond schedule by which persons arrested for certain criminal offenses were able to be released on a bail bond prior to the person's first appearance. In 2023, amendments to the pretrial release law were enacted requiring the Florida Supreme Court to adopt a uniform statewide bond schedule for certain criminal offenses effective January 1, 2024, and annually thereafter.¹

In response, the Florida Supreme Court created a Workgroup on a Statewide Bond Schedule to develop a proposed annual statewide bond schedule that comports with the requirements in section 903.011, Florida Statutes.² The Workgroup submitted its findings and recommendations and the Florida Supreme Court sought comments on the Workgroup's recommendation and heard oral arguments. Based on the Workgroup's recommendations, the comments received, and the oral arguments considered, the Florida Supreme Court has adopted the uniform statewide bond schedule for 2024.³

Under section 903.011, trial court chief judges may adopt the statewide bond schedule, may increase the monetary bond applicable to an offense that is included in the uniform statewide bond schedule, or may petition the Florida Supreme Court for approval of a local bond schedule that sets a lower bond amount than that required by the uniform statewide bond schedule.

¹ Section 1, chapter 2023-27, Laws of Florida.

² Administrative Order AOSC23-44. The Florida Supreme Court specifically noted that it was not "expressing any view on separation of powers issues potentially raised by the new law's requirement that the Supreme Court adopt a uniform statewide bond schedule."

³ Administrative Order AOSC23-88.

By the power vested in the chief judge under article V, section 2(d), Florida Constitution; sections 43.26, and 903.011, Florida Statutes; and Florida Rule of General Practice and Judicial Administration 2.215(b)(2), it is ORDERED that the uniform statewide bond schedule adopted by the Florida Supreme Court is hereby adopted for the Thirteenth Judicial Circuit without change effective January 1, 2024, through December 31, 2024.

1. General

The following bail bond schedule is established so that persons arrested for certain criminal offenses may be released on a bail bond prior to the person's first appearance hearing. This bond schedule applies *only to the booking officer, not to judges*. This schedule does not bind any judge conducting first appearance hearings or bail bond hearings. All persons brought before a judge for a first appearance hearing or any future proceeding are entitled by law to an individualized inquiry, based on the specific circumstances of the arrestee, to determine whether the arrestee should be released and the conditions of release. When determining bail, judges should consider the criteria set out in sections 903.011(6) and 903.046, Florida Statutes, and Florida Rule of Criminal Procedure 3.131.

2. First Appearance Hearing Required

The following persons may not be released before his or her first appearance hearing, and the bond schedule enumerated in section 4 of this administrative order does not apply, if the person meets any of the following criteria:⁴

- 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;

⁴ Section 903.011(6), Florida Statutes.

- 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:
 - i. A capital felony, life felony, felony of the first degree, or felony of the second degree;
 - ii. A homicide under chapter 782; or any attempt, solicitation, or conspiracy to commit a homicide;
 - iii. Assault in furtherance of a riot or an aggravated riot; felony battery; domestic battery by strangulation; domestic violence, as 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;
 - iv. Kidnapping, false imprisonment, human trafficking, or human smuggling;

- v. 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;
- vi. Sexual battery; indecent, lewd, or lascivious touching; exposure of sexual organs; incest; luring or enticing a child; or child pornography;
- vii. Abuse, neglect, or exploitation of an elderly person or disabled adult;
- viii. Child abuse or aggravated child abuse;
- viii. Arson; riot, aggravated riot, inciting a riot, or aggravated inciting a riot; or a burglary or theft during a riot;
- ix. Escape; tampering or retaliating against a witness, victim, or informant; destruction of evidence; or tampering with a jury;
- x. Any offense committed for the purpose of benefitting, promoting, or furthering the interests of a criminal gang;
- xi. Trafficking in a controlled substance, including conspiracy to engage in trafficking in a controlled substance;
- xiii. Racketeering; or
- xiv. Failure to appear at required court proceedings while on bail.

In accordance with section 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 in accordance with 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 in accordance with section 903.02(4), Florida Statutes, and Florida Rule of Criminal Procedure 3.131(b)(2).

3. Warrants

Bail for persons arrested on a violation of probation warrant or a failure to appear warrant will be set in the amount provided for in the warrant itself. If the violation of probation warrant or failure to appear warrant is silent as to a bail bond amount, then there will be no bond, pending the arrested person's next appearance before the judge assigned to handle the violation of probation or failure to appear matter. Bail for arrest warrants will be set in the amount provided for in the warrant itself. If the arrest warrant is silent as to a bail bond amount, then the bail bond will be set in accordance with the provisions of this administrative order.

4. Schedule

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

CRIME FOR WHICH PERSON IS ARRESTED	BOND AMOUNT
Third degree felony that involves any amount of force or threat of force against a person.	\$5,000
Third degree felony that does not involve any force or threat of force against a person.	\$2,500
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.	\$1,000
First degree misdemeanor or an ordinance punishable like a first degree misdemeanor that does not involve any amount of force or threat of force against a person.	\$500

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.	\$250
Second degree misdemeanor or an ordinance punishable like a second degree misdemeanor that does not involve any amount of force or threat of force against a person.	\$150
Driving under the influence or boating under the influence – first degree misdemeanor offenses	\$1,000
Driving under the influence or boating under the influence – second offense, second degree misdemeanor offenses	\$750
Driving under the influence or boating under the influence – first offense, second degree misdemeanor offenses	\$500

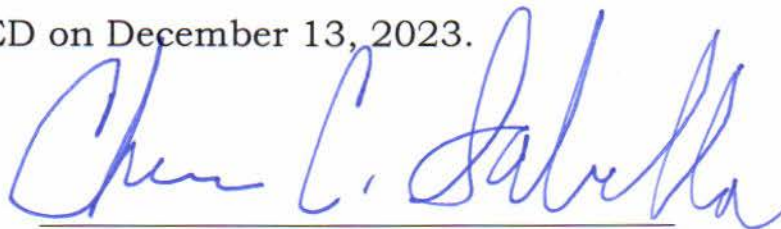
5. Previous Administrative Order Superseded

This administrative order supersedes Administrative Order S-2021-023 (*Uniform Bail Bond Schedule*).

6. Effective Date

This administrative order is effective January 1, 2024, through December 31, 2024.

ENTERED on December 13, 2023.



Christopher C. Sabella, Chief Judge

Original: Cindy Stuart, Clerk of the Circuit Court

Copy: All Judges

Susan “Suzy” Lopez, State Attorney

Julianne Holt, Public Defender

Chad Chronister, Sheriff

Ita M. Neymotin, Regional Counsel, Second District
Hillsborough County Association of Criminal Defense
Lawyers, Inc.

Hillsborough County Bar Association

Lee Bercaw, City of Tampa Police Chief

Kenneth R. Albano, City of Temple Terrace Police Chief

James M. Bradford, City of Plant City Police Chief

Charlie Vazquez, Tampa International Airport Police Chief

Christopher Daniel, University of South Florida Police
Chief