

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR HARDEE, HIGHLANDS AND POLK COUNTIES, FLORIDA

ADMINISTRATIVE ORDER NO. 2-49.10

IN RE: UNIFORM BOND SCHEDULE

WHEREAS, the Florida Supreme Court entered AOSC23-88, In Re: Uniform Statewide Bond Schedule, December 12, 2023, which sets a statewide minimum bond schedule effective January 1, 2024; and

WHEREAS, AOSC23-88 authorized the circuit courts to “establish a local bond schedule that adds conditions of release and/or increases the bond amounts above those required by this schedule; and

WHEREAS, pursuant to AOSC23-88, “[e]ach crime requires a separate bond pursuant to §903.02(4), Florida Statutes, and Florida Rule of Criminal Procedure 3.131(b)(2)”; and

WHEREAS, the Court recognizes that alleged offenders are entitled to bail in most cases, thus making a uniform schedule necessary to provide equal treatment to all; and

WHEREAS, in accordance with the authority vested in the Chief Judge under article V, section 2(d), Florida Constitution; section 43.26, Florida Statutes; and Florida Rule of General Practice and Judicial Administration 2.215(b)(2); and

NOW, THEREFORE, it is ORDERED that:

Except as is specifically set out herein, the bond schedule set forth in this Order shall apply to all felonies, misdemeanors, and county or municipal ordinance violations as the presumptive bond to be set unless ordered differently by a judge.

Nothing contained herein shall alter the discretionary authority of a judge to set a bond in an amount different from that listed, or to release on recognizance those detainees who warrant such upon a determination made at First Appearance Hearings (FAH), or effect the eligibility of release of detainees pursuant to the authority granted to pre-trial services.

I. KEY TO MAXIMUM PENALTIES:

<u>Degree of Offense</u>	<u>Penalty</u>
CF	Death
LF	Not less than 30 years prison and/or \$15,000.00 Fine
F1	30 years prison and/or \$10,000.00 Fine
F2	15 years prison and/or \$10,000.00 Fine
F3	5 years prison and/or \$5,000.00 Fine
M1	1 year county jail and/or \$1,000.00 Fine
M2	60 days county jail and/or \$500.00 Fine

II. PRESUMPTIVE BOND SCHEDULE:

<u>Degree of Offense</u>	<u>Bond Amount</u> (cash or surety)
M2; CO; MO	\$250.00
M1	\$1000.00
F3	\$5,000.00
F2	None, until FAH
F1	None, until FAH
Violations of §322.34(6) (DWLSR w/fatality)	\$10,000.00
DUI §316.193 or BUI §327.25 without a prior conviction for DUI or BUI	\$1000.00
DUI §316.193 or BUI §327.25 with one or more prior convictions for either DUI or BUI	None, until FAH
Arrestees on active Probation or Community Control, Including (pre-trial services shall assist in making this determination)	None, until FAH
Arrestees for Failure to Register as Sex Offender, as defined in §943.0435(14)(c)(4)	None, until FAH
Dangerous crimes, as defined in §907.041(5)(a), F.S.	None, until FAH
Arrestees meet criteria in §903.011(6), F.S.	None, until FAH
Life Felony (LF)	None
Capital Felony (CF)	None

III. OTHER OFFENSES WHERE NO BOND SHALL BE SET UNTIL FAH:

This section may include duplication of offenses between §903.011(6), Florida Statutes, §907.041(5)(a), Florida Statutes, and the qualifying offenses referred to in the “Anti Murder Act” §903.0351, Florida Statutes, and listed in §948.06(8)(c), Florida Statutes.

1. Lewd or Lascivious offense upon or in the presence of an elderly or disabled person or attempted lewd or lascivious offense upon or in the presence of and elderly or disabled person under §825.1025, Florida Statutes. *See* §948.06(8)(c)(7), Fla. Stat.
2. Sexual performance by a child or attempted sexual performance by a child under §827.071, Florida Statutes. *See* §948.06(8)(c)(8), Fla. Stat.
3. Computer pornography under §847.0135(2) or (3), Florida Statutes; transmission of child pornography under §847.0137, Florida Statutes; or selling or buying of minors under §847.0145, Florida Statutes. *See* §948.06(8)(c)(9), Fla. Stat.
4. Poisoning food or water under §859.01, Florida Statutes. *See* §948.08(c)(10), Fla. Stat.
5. Abuse of a dead human body under §872.06, Florida Statutes. *See* §948.06(8)(c)(11), Fla. Stat.

6. Treason under §876.32, Florida Statutes. *See* §948.06(8)(c)(18), Fla. Stat.
7. An unauthorized alien who has been “arrested for committing a forcible felony [as defined in §907.041(6), Florida Statutes,] is not eligible for release until he or she appears for a first appearance hearing.” §907.041(6)(b), Fla. Stat.
8. Any person, out on bond or other form of pre-trial release for a criminal offense, who has been arrested for committing a new offense within the Tenth Judicial Circuit while out on bond or other form of pre-trial release, shall be held without bond on the new offense until FAH, at which time the FAH judge shall review the bond status on the new charge, and review the status on the offense for which the person is already out on bond or other form of pre-trial release if authorized by the issuing judge, to see whether the person shall be held without bond on the original charge only, pursuant to §903.0471, Florida Statutes, based on probable cause that the arrested person has committed a new law violation.
9. Pursuant to §903.011(6), Florida Statutes, 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 [prison conditional release program], s. 947.146 [prison control release authority], s. 947.149 [prison conditional medical release], or s. 944.4731 [prison addition-recovery supervision program];
 - (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 benefiting, 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. [The crime of] [f]ailure to appear at required court proceedings while on bail.

IV. EFFECTIVE DATE

This Order is effective on January 1, 2026, and shall remain in effect until further order of the Court. This Order VACATES and SUPERSEDES Administrative Order No. 2-49.9, entered on December 22, 2023.

DONE AND ORDERED on this 23rd day of December, 2025.

s/JAMES A. YANCEY, Chief Judge

Original to: Polk County Clerk of Courts

Copies to:

All Judges

Hardee County Clerk of Courts

Highlands County Clerk of Courts

Polk County Clerk of Courts

Office of the State Attorney

Office of the Public Defender

Office of Criminal Conflict and Civil Regional Counsel, 2nd District Region

Sheriff and Local Law Enforcement Offices

Polk County Court Services Division (PTS)

Hardee County Probation Office (pre-trial services)

Electronic Bar Mailing