

# Supreme Court of Florida

**STATE OF FLORIDA,**  
Petitioner,

vs.

**REPOLEON PORCHIA,**  
Respondent.

No. 92,657  
[August 20, 1998]

PER CURIAM

We have for review the following question certified to be of great public importance:

SHOULD THE REQUIREMENT THAT A DEFENDANT PAY FOR DRUG TESTING BE TREATED AS A GENERAL CONDITION OF PROBATION FOR WHICH NOTICE IS PROVIDED BY SECTION 948.09(6), FLORIDA STATUTES (1995), OR SHOULD IT BE TREATED AS A SPECIAL CONDITION THAT REQUIRES ORAL ANNOUNCEMENT?

Porchia v. State, 705 So. 2d 1050, 1051 (Fla. 5th DCA 1998). We have jurisdiction. Art. V, § 3(b)(4), Fla. Const.

We answered this question in State v. Williams, 23 Fla. L. Weekly S294 (Fla. June 4, 1998), by holding that the requirement that a defendant pay for drug testing is a special condition of probation which the trial court must pronounce orally at sentencing.

Accordingly, we approve the decision below.

It is so ordered.

HARDING, C.J., and OVERTON, SHAW, KOGAN, WELLS, ANSTEAD and PARIENTE, JJ., concur.

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF FILED, DETERMINED.

Application for Review of the Decision of the District Court of Appeal - Certified Great Public Importance

Fifth District - Case No. 97-348

(Seminole County)

Robert A. Butterworth, Attorney General, and Maximillian J. Changus, Assistant Attorney General, Daytona Beach, Florida,

for Petitioner

James B. Gibson, Public Defender, and Dee Ball, Assistant Public Defender, Seventh Judicial Circuit, Daytona Beach, Florida,

for Respondent