

JAMES EDWARDS, JR.,
Petitioner,
vs.
STATE OF FLORIDA,
Respondent.
No. 93,880
[February 25, 1999]

PER CURIAM.

We have for review a decision addressing 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?

Edwards v. State, 23 Fla. L. Weekly D1439 (Fla. 2d DCA June 10, 1998). We have jurisdiction. Art. V, § 3(b)(4), Fla. Const. We answered this question in State v. Williams, 712 So. 2d 762 (Fla. 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. Having answered the certified question, we remand this case to the district court for further proceedings consistent with our opinion in Williams.

It is so ordered.

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

QUINCE, J., recused.

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

Second District -

Case No. 97-01791

(Sarasota County)

James Marion Moorman, Public Defender, and Deborah K. Brueckheimer, Assistant Public Defender,

Tenth Judicial Circuit, Bartow, Florida,

for Petitioner

Robert A. Butterworth, Attorney General, Robert J. Krauss, Senior Assistant Attorney General, Chief of Criminal Law, and Ronald Napolitano, Assistant Attorney General, Tampa, Florida,

for Respondent