

288-174X-38

Bill No. CS/HB 513, 1st Eng.

Amendment No. ____ (TECHNICAL AMENDMENT)

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 The Committee on Rules, Resolutions, & Ethics offered the
12 following:

Technical Amendment (with title amendment)

15 Remove from the bill: Everything after the enacting clause
16
17 and insert in lieu thereof:

18 Section 1. Paragraph (a) of subsection (2) of section
19 985.216, Florida Statutes, is amended to read:

20 985.216 Punishment for contempt of court; alternative
21 sanctions.--

22 (2) PLACEMENT IN A SECURE FACILITY.--A child may be
23 placed in a secure facility for purposes of punishment for
24 contempt of court if alternative sanctions are unavailable or
25 inappropriate, or if the child has already been ordered to
26 serve an alternative sanction but failed to comply with the
27 sanction.

28 (a) A delinquent child who has been held in direct or
29 indirect contempt may be placed in a secure detention facility
30 ~~for 5 days for a first offense or 15 days for a second or~~
31 ~~subsequent offense~~, or in a secure residential commitment

1 facility.

2 Section 2. Paragraph (b) of subsection (2) of section
3 985.414, Florida Statutes, is amended to read:

4 985.414 County juvenile justice councils.--

5 (2)

6 (b) The duties and responsibilities of a county
7 juvenile justice council include, but are not limited to:

8 1. Developing a county juvenile justice plan based
9 upon utilization of the resources of law enforcement, the
10 school system, the Department of Juvenile Justice, the
11 Department of Children and Family Services, and others in a
12 cooperative and collaborative manner to prevent or discourage
13 juvenile crime and develop meaningful alternatives to school
14 suspensions and expulsions.

15 2. Entering into a written county interagency
16 agreement specifying the nature and extent of contributions
17 each signatory agency will make in achieving the goals of the
18 county juvenile justice plan and their commitment to the
19 sharing of information useful in carrying out the goals of the
20 interagency agreement to the extent authorized by law. The
21 interagency agreement must include at least the following
22 participants: the local school authorities, local law
23 enforcement, and local representatives of the Department of
24 Juvenile Justice and the Department of Children and Family
25 Services. The interagency agreement must specify how
26 community entities will cooperate, collaborate, and share
27 information in furtherance of the goals of the district and
28 county juvenile justice plan.

29 3. Applying for and receiving public or private
30 grants, to be administered by one of the community partners,
31 that support one or more components of the county juvenile

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1 justice plan.

2 4. Designating the county representatives to the
3 district juvenile justice board pursuant to s. 985.413.

4 5. Providing a forum for the presentation of
5 interagency recommendations and the resolution of
6 disagreements relating to the contents of the county
7 interagency agreement or the performance by the parties of
8 their respective obligations under the agreement.

9 6. Assisting and directing the efforts of local
10 community support organizations and volunteer groups in
11 providing enrichment programs and other support services for
12 clients of local juvenile detention centers.

13 7. Providing an annual report and recommendations to
14 the district juvenile justice board, the Juvenile Justice
15 Advisory Board, and the district juvenile justice manager.

16 Section 3. Subsection (1) of section 985.415, Florida
17 Statutes, is amended to read:

18 985.415 Community Juvenile Justice Partnership
19 Grants.--

20 (1) GRANTS; CRITERIA.--

21 (a) In order to encourage the development of county
22 and district juvenile justice plans, as required in s.
23 985.414(2)(b)1. and s. 985.413(4), and the development and
24 implementation of county and district interagency agreements,
25 as required in s. 985.414(2)(b)2. and s. 415.413(3)(d)3. among
26 representatives of the Department of Juvenile Justice, the
27 Department of Children and Family Services, law enforcement,
28 and school authorities, the community juvenile justice
29 partnership grant program is established, which program shall
30 be administered by the Department of Juvenile Justice.

31 (b) The department shall only consider applications

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1 which at a minimum provide for the following:

2 1. The participation and cooperation of the agencies
3 or programs that are needed to implement the project or
4 program for which the applicant is applying local school
5 authorities, local law enforcement, and local representatives
6 of the Department of Juvenile Justice and the Department of
7 Children and Family Services pursuant to a written interagency
8 partnership agreement. Such agreement must specify how
9 community entities will cooperate, collaborate, and share
10 information in furtherance of the goals of the district and
11 county juvenile justice plan; and

12 2. The reduction of truancy and in-school and
13 out-of-school suspensions and expulsions, and the enhancement
14 of school safety.

15 (c) In addition, the department may consider the
16 following criteria in awarding grants:

17 1. The district juvenile justice plan and any county
18 juvenile justice plans that are referred to or incorporated
19 into the district plan, including a list of individuals,
20 groups, and public and private entities that participated in
21 the development of the plan.

22 2. The diversity of community entities participating
23 in the development of the district juvenile justice plan.

24 3. The number of community partners who will be
25 actively involved in the operation of the grant program.

26 4. The number of students or youths to be served by
27 the grant and the criteria by which they will be selected.

28 5. The criteria by which the grant program will be
29 evaluated and, if deemed successful, the feasibility of
30 implementation in other communities.

31 Section 4. Paragraph (h) is added to subsection (2) of

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1 section 985.215, Florida Statutes, and paragraph (d) of
2 subsection (5) is amended to read:

3 985.215 Detention.--

4 (2) Subject to the provisions of subsection (1), a
5 child taken into custody and placed into nonsecure or home
6 detention care or detained in secure detention care prior to a
7 detention hearing may continue to be detained by the court if:

8 (h) The child has failed to appear in court on two
9 separate occasions on the same case.

10

11 A child who meets any of these criteria and who is ordered to
12 be detained pursuant to this subsection shall be given a
13 hearing within 24 hours after being taken into custody. The
14 purpose of the detention hearing is to determine the existence
15 of probable cause that the child has committed the delinquent
16 act or violation of law with which he or she is charged and
17 the need for continued detention. Unless a child is detained
18 under paragraph (d), the court shall utilize the results of
19 the risk assessment performed by the intake counselor or case
20 manager and, based on the criteria in this subsection, shall
21 determine the need for continued detention. A child placed
22 into secure, nonsecure, or home detention care may continue to
23 be so detained by the court pursuant to this subsection. If
24 the court orders a placement more restrictive than indicated
25 by the results of the risk assessment instrument, the court
26 shall state, in writing, clear and convincing reasons for such
27 placement. Except as provided in s. 790.22(8) or in
28 subparagraph (10)(a)2., paragraph (10)(b), paragraph (10)(c),
29 or paragraph (10)(d), when a child is placed into secure or
30 nonsecure detention care, or into a respite home or other
31 placement pursuant to a court order following a hearing, the

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1 court order must include specific instructions that direct the
2 release of the child from such placement no later than 5 p.m.
3 on the last day of the detention period specified in paragraph
4 (5)(b) or paragraph (5)(c), or subparagraph (10)(a)1.,
5 whichever is applicable, unless the requirements of such
6 applicable provision have been met or an order of continuance
7 has been granted pursuant to paragraph (5)(d).

8 (5)

9 (d) The time limits in paragraphs (b) and (c) do not
10 include periods of delay resulting from a continuance granted
11 by the court for cause on motion of the child or his or her
12 counsel or of the state. Cause may be found and the time
13 limits for detention may be extended if the child is charged
14 with a capital felony, life felony, or felony of the first
15 degree and the nature of the charge requires additional time
16 for the prosecution or defense of the case, but in no event
17 shall be extended beyond 30 days. Upon the issuance of an
18 order granting a continuance for cause on a motion by either
19 the child, the child's counsel, or the state, the court shall
20 conduct a hearing at the end of each 72-hour period, excluding
21 Saturdays, Sundays, and legal holidays, to determine the need
22 for continued detention of the child and the need for further
23 continuance of proceedings for the child or the state.

24 Section 5. For the purpose of incorporating the
25 amendments to s. 985.215, Florida Statutes, in references
26 thereto, the following sections or subdivisions of Florida
27 Statutes are reenacted to read:

28 985.211 Release or delivery from custody.--

29 (4) A person taking a child into custody who
30 determines, pursuant to s. 985.215, that the child should be
31 detained or released to a shelter designated by the

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1 department, shall make a reasonable effort to immediately
2 notify the parent, guardian, or legal custodian of the child
3 and shall, without unreasonable delay, deliver the child to
4 the appropriate intake counselor or case manager or, if the
5 court has so ordered pursuant to s. 985.215, to a detention
6 center or facility. Upon delivery of the child, the person
7 taking the child into custody shall make a written report or
8 probable cause affidavit to the appropriate intake counselor
9 or case manager. Such written report or probable cause
10 affidavit must:

11 (a) Identify the child and, if known, the parents,
12 guardian, or legal custodian.

13 (b) Establish that the child was legally taken into
14 custody, with sufficient information to establish the
15 jurisdiction of the court and to make a prima facie showing
16 that the child has committed a violation of law.

17 985.213 Use of detention.--

18 (2)

19 (b)1. The risk assessment instrument for detention
20 care placement determinations and orders shall be developed by
21 the Department of Juvenile Justice in agreement with
22 representatives appointed by the following associations: the
23 Conference of Circuit Judges of Florida, the Prosecuting
24 Attorneys Association, and the Public Defenders Association.
25 Each association shall appoint two individuals, one
26 representing an urban area and one representing a rural area.
27 The parties involved shall evaluate and revise the risk
28 assessment instrument as is considered necessary using the
29 method for revision as agreed by the parties. The risk
30 assessment instrument shall take into consideration, but need
31 not be limited to, prior history of failure to appear, prior

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1 offenses, offenses committed pending adjudication, any
2 unlawful possession of a firearm, theft of a motor vehicle or
3 possession of a stolen motor vehicle, and community control
4 status at the time the child is taken into custody. The risk
5 assessment instrument shall also take into consideration
6 appropriate aggravating and mitigating circumstances, and
7 shall be designed to target a narrower population of children
8 than s. 985.215(2). The risk assessment instrument shall also
9 include any information concerning the child's history of
10 abuse and neglect. The risk assessment shall indicate whether
11 detention care is warranted, and, if detention care is
12 warranted, whether the child should be placed into secure,
13 nonsecure, or home detention care.

14 2. If, at the detention hearing, the court finds a
15 material error in the scoring of the risk assessment
16 instrument, the court may amend the score to reflect factual
17 accuracy.

18 3. A child who is charged with committing an offense
19 of domestic violence as defined in s. 741.28(1) and who does
20 not meet detention criteria may be held in secure detention if
21 the court makes specific written findings that:

22 a. The offense of domestic violence which the child is
23 charged with committing caused physical injury to the victim;

24 b. Respite care for the child is not available; and

25 c. It is necessary to place the child in secure
26 detention in order to protect the victim from further injury.

27

28 The child may not be held in secure detention under this
29 subparagraph for more than 48 hours unless ordered by the
30 court. After 48 hours, the court shall hold a hearing if the
31 state attorney or victim requests that secure detention be

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1 continued. The child may continue to be held in secure
2 detention if the court makes a specific, written finding that
3 secure detention is necessary to protect the victim from
4 further injury. However, the child may not be held in secure
5 detention beyond the time limits set forth in s. 39.044.

6 985.219 Process and service.--

7 (5) If the petition alleges that the child has
8 committed a delinquent act or violation of law and the judge
9 deems it advisable to do so, pursuant to the criteria of s.
10 985.215, the judge may, by endorsement upon the summons and
11 after the entry of an order in which valid reasons are
12 specified, order the child to be taken into custody
13 immediately, and in such case the person serving the summons
14 shall immediately take the child into custody.

15 985.208 Detention of furloughed child or escapee on
16 authority of the department.--

17 (1) If an authorized agent of the department has
18 reasonable grounds to believe that any delinquent child
19 committed to the department has escaped from a facility of the
20 department or from being lawfully transported thereto or
21 therefrom, the agent may take the child into active custody
22 and may deliver the child to the facility or, if it is closer,
23 to a detention center for return to the facility. However, a
24 child may not be held in detention longer than 24 hours,
25 excluding Saturdays, Sundays, and legal holidays, unless a
26 special order so directing is made by the judge after a
27 detention hearing resulting in a finding that detention is
28 required based on the criteria in s. 985.215(2). The order
29 shall state the reasons for such finding. The reasons shall be
30 reviewable by appeal or in habeas corpus proceedings in the
31 district court of appeal.

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1 Section 6. Section 985.209, Florida Statutes, is
2 amended to read:

3 985.209 Juvenile justice assessment centers.--

4 (1) The department shall work cooperatively with
5 substance abuse facilities, mental health providers, law
6 enforcement agencies, schools, health services providers, and
7 other entities involved with children to establish a juvenile
8 justice assessment center in each service district. The
9 assessment center shall serve as central intake and screening
10 for children referred to the department. Each juvenile justice
11 assessment center shall provide services needed to facilitate
12 initial screening of children, including intake and needs
13 assessment, substance abuse screening, physical and mental
14 health screening, and diagnostic testing, as appropriate. The
15 entities involved in the assessment center shall make the
16 resources for the provision of these services available at the
17 same level to which they are available to the general public.

18 (2) Juvenile justice assessment centers are authorized
19 and encouraged to establish truancy programs. A truancy
20 program may serve as providing the central intake and
21 screening of truant children for a specific geographic area
22 that is based upon written agreements between the assessment
23 center, affected law enforcement agencies, and affected school
24 boards. The assessment center may work cooperatively with any
25 truancy program operating in the area served by the assessment
26 center.

27 (3) When a law enforcement officer takes into custody
28 a truant student, the officer may transport or refer the
29 truant student to a truancy program operating in the officer's
30 jurisdiction. For the purpose of this section, a truant
31 student is defined as any student between the ages of 6 and

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1 18, who is enrolled in public or private school, and is absent
2 from school without excuse as defined in s. 232.19(3), even if
3 that student is not subject to compulsory school attendance
4 under s. 232.01.

5 Section 7. Subsection (7) of section 230.23161,
6 Florida Statutes, is amended to read:

7 230.23161 Educational services in Department of
8 Juvenile Justice programs.--

9 (7) A school district may contract with a private
10 provider for the provision of educational programs to youths
11 placed with the Department of Juvenile Justice and may
12 generate local, state, and federal funding, including funding
13 through the Florida Education Finance Program for such
14 students. Unless written justification otherwise is provided
15 to and agreed to by the Department of Juvenile Justice and the
16 Department of Education, administrative costs under any
17 contract awarded for such educational programs shall not
18 exceed 10 percent of the total contract amount.

19 Section 8. Paragraph (b) of subsection (1) of section
20 806.13, Florida Statutes, is amended to read:

21 806.13 Criminal mischief; penalties; penalty for
22 minor.--

23 (1)

24 (b)1. If the damage to such property is \$200 or less,
25 it is a misdemeanor of the second degree, punishable as
26 provided in s. 775.082 or s. 775.083.

27 2. If the damage to such property is greater than \$200
28 but less than ~~\$500~~~~\$1,000~~, it is a misdemeanor of the first
29 degree, punishable as provided in s. 775.082 or s. 775.083.

30 3. If the damage is ~~\$500~~~~\$1,000~~ or greater, or if
31 there is interruption or impairment of a business operation or

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1 public communication, transportation, supply of water, gas or
2 power, or other public service which costs ~~\$500~~~~\$1,000~~ or more
3 in labor and supplies to restore, it is a felony of the third
4 degree, punishable as provided in s. 775.082, s. 775.083, or
5 s. 775.084.

6 Section 9. Paragraph (b) of subsection (3) of section
7 921.0022, Florida Statutes, is amended to read:

8 921.0022 Criminal Punishment Code; offense severity
9 ranking chart.--

10 (3) OFFENSE SEVERITY RANKING CHART

11	12 Florida Statute	13 Felony Degree	14 Description
15			(b) LEVEL 2
16	403.413(5)(c)	3rd	Dumps waste litter exceeding 500
17			lbs. in weight or 100 cubic feet
18			in volume or any quantity for
19			commercial purposes, or hazardous
20			waste.
21	517.07	3rd	Registration of securities and
22			furnishing of prospectus
23			required.
24	590.28(1)	3rd	Willful, malicious, or
25			intentional burning.
26	784.05(3)	3rd	Storing or leaving a loaded
27			firearm within reach of minor who
28			uses it to inflict injury or
29			death.
30	787.04(1)	3rd	In violation of court order,
31			take, entice, etc., minor beyond

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1			state limits.
2	806.13(1)(b)3.	3rd	Criminal mischief; damage <u>\$500</u>
3			\$1,000 or more to public
4			communication or any other public
5			service.
6	810.09(2)(e)	3rd	Trespassing on posted commercial
7			horticulture property.
8	812.014(2)(c)1.	3rd	Grand theft, 3rd degree; \$300 or
9			more but less than \$5,000.
10	812.014(2)(d)	3rd	Grand theft, 3rd degree; \$100 or
11			more but less than \$300, taken
12			from unenclosed curtilage of
13			dwelling.
14	817.234(1)(a)2.	3rd	False statement in support of
15			insurance claim.
16	817.481(3)(a)	3rd	Obtain credit or purchase with
17			false, expired, counterfeit,
18			etc., credit card, value over
19			\$300.
20	817.52(3)	3rd	Failure to redeliver hired
21			vehicle.
22	817.54	3rd	With intent to defraud, obtain
23			mortgage note, etc., by false
24			representation.
25	817.60(5)	3rd	Dealing in credit cards of
26			another.
27	817.60(6)(a)	3rd	Forgery; purchase goods, services
28			with false card.
29	817.61	3rd	Fraudulent use of credit cards
30			over \$100 or more within 6
31			months.

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- 1 826.04 3rd Knowingly marries or has sexual
- 2 intercourse with person to whom
- 3 related.
- 4 831.01 3rd Forgery.
- 5 831.02 3rd Uttering forged instrument;
- 6 utters or publishes alteration
- 7 with intent to defraud.
- 8 831.07 3rd Forging bank bills or promissory
- 9 note.
- 10 831.08 3rd Possession of 10 or more forged
- 11 notes.
- 12 831.09 3rd Uttering forged bills; passes as
- 13 bank bill or promissory note.
- 14 832.05(3)(a) 3rd Cashing or depositing item with
- 15 intent to defraud.
- 16 843.08 3rd Falsely impersonating an officer.
- 17 893.13(2)(a)2. 3rd Purchase of any s. 893.03(1)(c),
- 18 (2)(c), (3), or (4) drugs other
- 19 than cannabis.
- 20 893.147(2) 3rd Manufacture or delivery of drug
- 21 paraphernalia.

22 Section 10. Paragraph (c) of subsection (2) of section
23 812.014, Florida Statutes, is amended to read:

24 812.014 Theft.--

25 (2)

26 (c) It is grand theft of the third degree and a felony
27 of the third degree, punishable as provided in s. 775.082, s.
28 775.083, or s. 775.084, if the property stolen is:

- 29 1. Valued at \$300 or more, but less than \$5,000.
- 30 2. Valued at \$5,000 or more, but less than \$10,000.
- 31 3. Valued at \$10,000 or more, but less than \$20,000.

- 1 4. A will, codicil, or other testamentary instrument.
- 2 5. A firearm.
- 3 6. A motor vehicle, except as provided in subparagraph
- 4 (2)(a). However, a person who commits grand theft of a motor
- 5 vehicle and who has previously been convicted two or more
- 6 times of any theft of a motor vehicle commits a felony of the
- 7 second degree, punishable as provided in s. 775.082, s.
- 8 775.083, or s. 775.084.
- 9 7. Any commercially farmed animal, including any
- 10 animal of the equine, bovine, or swine class, or other grazing
- 11 animal, and including aquaculture species raised at a
- 12 certified aquaculture facility. If the property stolen is
- 13 aquaculture species raised at a certified aquaculture
- 14 facility, then a \$10,000 fine shall be imposed.
- 15 8. Any fire extinguisher.
- 16 9. Any amount of citrus fruit consisting of 2,000 or
- 17 more individual pieces of fruit.
- 18 10. Taken from a designated construction site
- 19 identified by the posting of a sign as provided for in s.
- 20 810.09(2)(d).
- 21 Section 11. For the purpose of incorporating the
- 22 amendments to s. 812.014, Florida Statutes, in references
- 23 thereto, the following sections or subdivisions of Florida
- 24 Statutes, are reenacted to read:
- 25 538.23 Violations and penalties.--
- 26 (2) A secondary metals recycler is presumed to know
- 27 upon receipt of stolen regulated metals property in a purchase
- 28 transaction that the regulated metals property has been stolen
- 29 from another if the secondary metals recycler knowingly and
- 30 intentionally fails to maintain the information required in s.
- 31 538.19 and shall, upon conviction of a violation of s.

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1 812.015, be punished as provided in s. 812.014(2) or (3).

2 985.227 Prosecution of juveniles as adults by the
3 direct filing of an information in the criminal division of
4 the circuit court; discretionary criteria; mandatory
5 criteria.--

6 (2) MANDATORY DIRECT FILE.--

7 (c) The state attorney must file an information if a
8 child, regardless of the child's age at the time the alleged
9 offense was committed, is alleged to have committed an act
10 that would be a violation of law if the child were an adult,
11 that involves stealing a motor vehicle, including, but not
12 limited to, a violation of s. 812.133, relating to carjacking,
13 or s. 812.014(2)(c)6., relating to grand theft of a motor
14 vehicle, and while the child was in possession of the stolen
15 motor vehicle the child caused serious bodily injury to or the
16 death of a person who was not involved in the underlying
17 offense. For purposes of this section, the driver and all
18 willing passengers in the stolen motor vehicle at the time
19 such serious bodily injury or death is inflicted shall also be
20 subject to mandatory transfer to adult court. "Stolen motor
21 vehicle," for the purposes of this section, means a motor
22 vehicle that has been the subject of any criminal wrongful
23 taking. For purposes of this section, "willing passengers"
24 means all willing passengers who have participated in the
25 underlying offense.

26 Section 12. (1) The Department of Juvenile Justice
27 and the Department of Children and Family Services shall
28 develop a cooperative agreement on the delivery of mental
29 health and substance abuse treatment services to youth in the
30 juvenile justice system. A district specific cooperative
31 agreement shall be negotiated between and agreed upon by the

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1 Department of Juvenile Justice's district juvenile justice
2 manager and the Department of Children and Family Services'
3 district administrator that addresses funding levels, access
4 to services, and accounting for the use of mental health and
5 substance abuse treatment funding designated for youth in the
6 juvenile justice system. These cooperative agreements shall
7 be reviewed and updated annually.

8 (2) The Office of Program Policy Analysis and
9 Government Accountability shall conduct a performance review
10 of the provision of mental health and substance abuse
11 treatment services to children and youth in the juvenile
12 justice system. Issues addressed in this performance review
13 shall include, but are not limited to, the following: the
14 apportionment of funds to the Department of Children and
15 Family Services and the Department of Juvenile Justice for
16 mental health and substance abuse services for children and
17 youth in the juvenile justice system; what barriers to either
18 the provision or accessing of such services may be identified;
19 and whether there exists an adequate and valid monitoring
20 system for the use of mental health and substance abuse
21 funding and the provision of such services designated for
22 children and youth in the juvenile justice system. The Office
23 of Program Policy Analysis and Government Accountability shall
24 submit its report with findings and recommendations to the
25 President of the Senate and the Speaker of the House of
26 Representatives by December 1, 1998.

27 Section 13. Effective July 1, 1998, paragraph (b) of
28 subsection (1) of section 985.234, Florida Statutes, is
29 amended to read:

30 985.234 Appeal.--

31 (1) An appeal from an order of the court affecting a

1 party to a case involving a child pursuant to this part may be
2 taken to the appropriate district court of appeal within the
3 time and in the manner prescribed by the Florida Rules of
4 Appellate Procedure by:

- 5 (b) The state, which may appeal from:
- 6 1. An order dismissing a petition or any section
 - 7 thereof;
 - 8 2. An order granting a new adjudicatory hearing;
 - 9 3. An order arresting judgment;
 - 10 4. A ruling on a question of law when the child is
 - 11 adjudicated delinquent and appeals from the judgment;
 - 12 5. The disposition, on the ground that it is illegal;
 - 13 6. A judgment discharging a child on habeas corpus;
 - 14 7. An order adjudicating a child insane under the
 - 15 Florida Rules of Juvenile Procedure; and
 - 16 8. All other preadjudicatory hearings, except that the
 - 17 state may not take more than one appeal under this subsection
 - 18 in any case.
 - 19 9. An order denying restitution.
- 20

21 In the case of an appeal by the state, the notice of appeal
22 shall be filed by the appropriate state attorney or his or her
23 authorized assistant pursuant to the provisions of s. 27.18.
24 Such an appeal shall embody all assignments of error in each
25 preadjudicatory hearing order that the state seeks to have
26 reviewed. The state shall pay all costs of the appeal except
27 for the child's attorney's fee.

28 Section 14. Except as otherwise provided herein, this
29 act shall take effect October 1 of the year in which enacted.

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1 ===== T I T L E A M E N D M E N T =====

2 And the title is amended as follows:

3 remove from the title of the bill: the entire title

4

5 and insert in lieu thereof:

6

 A bill to be entitled

7

 An act relating to juvenile and criminal

8

 justice; amending s. 985.216, F.S., relating to

9

 punishment of a delinquent child for contempt

10

 of court and alternative sanctions; removing

11

 certain time limitations upon placement of

12

 delinquent child held in contempt in a secure

13

 detention facility or secure residential

14

 commitment facility; amending s. 985.414, F.S.,

15

 relating to district juvenile justice boards;

16

 conforming provisions to reflect the creation

17

 of the Department of Children and Family

18

 Services; requiring that specified entities

19

 participate in the interagency agreement

20

 developed by the county juvenile justice

21

 council; specifying information to be included

22

 in the agreement; amending s. 985.415, F.S.,

23

 relating to Community Juvenile Justice

24

 Partnership Grants; clarifying the minimum

25

 requirements to be included in an application

26

 for a community juvenile justice partnership

27

 grant; revising requirements for application

28

 for a community juvenile justice partnership

29

 grant to remove requirement for participation

30

 of the Department of Health and Rehabilitative

31

 Services; amending s. 985.215, F.S., relating

288-174X-38

Bill No. CS/HB 513, 1st Eng.

Amendment No. ____ (TECHNICAL AMENDMENT)

1 to detention; providing for continued detention
2 of a child who has failed to appear in court on
3 two separate occasions on the same case;
4 providing for extension up to 30 days of the
5 time limits upon detention of a child, under
6 specified circumstances; reenacting ss.
7 985.211(4), 985.213(2)(b), 985.219(5),
8 985.208(1), F.S., relating to release or
9 delivery from custody, use of detention,
10 process and service, and detention of
11 furloughed or escaped child, to incorporate
12 said amendment in references; amending s.
13 985.209, F.S.; authorizing establishment of
14 truancy programs by juvenile justice assessment
15 centers; defining "truant student" to include
16 enrolled students between 6 years of age and 18
17 years of age; amending s. 230.23161, F.S.,
18 relating to educational services in Department
19 of Juvenile Justice programs; providing a
20 maximum limitation on administrative costs
21 under certain contracts by school districts for
22 such programs; amending s. 806.13, F.S.,
23 relating to criminal mischief; redefining first
24 degree misdemeanor criminal mischief offense to
25 include damage to property greater than \$200
26 but less than \$500, and providing penalties
27 therefor; redefining third degree felony
28 criminal mischief to include certain damages of
29 \$500 or greater, and providing penalties
30 therefor; amending s. 921.0022, F.S., relating
31 to the Criminal Punishment Code offense

288-174X-38

Bill No. CS/HB 513, 1st Eng.

Amendment No. ____ (TECHNICAL AMENDMENT)

1 severity ranking chart, to conform a cross
2 reference; amending s. 812.014, F.S., relating
3 to theft; providing second degree felony
4 penalties for a person who commits grand theft
5 of a motor vehicle and who has previously been
6 convicted two or more times of motor vehicle
7 theft; reenacting ss. 538.23(2) and
8 985.227(2)(c), F.S., relating to offenses by
9 secondary metal recyclers and transfer of child
10 for prosecution, to incorporate said amendment
11 in references; requiring cooperative agreements
12 between the Department of Juvenile Justice and
13 the Department of Children and Family Services
14 for the provision of mental health and
15 substance abuse treatment services to youth in
16 the juvenile justice system; requiring the
17 Office of Program Policy Analysis and
18 Government Accountability to conduct a
19 performance review of the provision of mental
20 health and substance abuse treatment services
21 to youth in the juvenile justice system;
22 requiring a report; amending s. 985.234, F.S.;
23 providing for appeal by the state of an order
24 denying restitution, under certain
25 circumstances when the order affects a party to
26 a case involving delinquency; providing
27 effective dates.

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31