

Bill No. CS for SB 1550

Amendment No. 1

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	The Committee on Fiscal Policy recommended the following		
12	amendment:		
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14	Senate Amendment (with title amendment)		
15	On page 7, between lines 18 and 19,		
16			
17	insert:		
18	Section 2. Paragraph (e) of subsection (46) of section		
19	985.03, Florida Statutes, 1998 Supplement, is amended to read:		
20	985.03 Definitions.--When used in this chapter, the		
21	term:		
22	(46) "Restrictiveness level" means the level of		
23	custody provided by programs that service the custody and care		
24	needs of committed children. There shall be five		
25	restrictiveness levels:		
26	(e) <u>Juvenile correctional facilities or juvenile</u>		
27	<u>prison</u> Maximum-risk residential .--Youth assessed and		
28	classified for this level of placement require close		
29	supervision in a maximum security residential setting that		
30	provides 24-hour-per-day secure custody, care, and		
31	supervision. Placement in a program in this level is prompted		

Bill No. CS for SB 1550Amendment No. 1

1 by a demonstrated need to protect the public. Programs or
2 program models in this level are maximum-secure-custody,
3 long-term residential commitment facilities that are intended
4 to provide a moderate overlay of educational, vocational, and
5 behavioral-modification services and other maximum-security
6 program models authorized by the Legislature and established
7 by rule. Section 985.3141 applies to children placed in
8 programs in this restrictiveness level.

9 Section 3. Paragraph (c) of subsection (4) of section
10 985.201, Florida Statutes, is amended to read:

11 985.201 Jurisdiction.--

12 (4)

13 (c) The court may retain jurisdiction over a child and
14 the child's parent or legal guardian whom the court has
15 ordered to pay restitution until the restitution order is
16 satisfied or until the court orders otherwise. If the court
17 retains such jurisdiction after the date upon which the
18 court's jurisdiction would cease under this section, it shall
19 do so solely for the purpose of enforcing the restitution
20 order. The terms of the restitution order are subject to the
21 provisions of s. 775.089(5)~~s. 775.089(6)~~.

22 Section 4. Subsection (4) of section 985.21, Florida
23 Statutes, 1998 Supplement, is amended to read:

24 985.21 Intake and case management.--

25 (4) The juvenile probation officer shall make a
26 preliminary determination as to whether the report, affidavit,
27 or complaint is complete, consulting with the state attorney
28 as may be necessary. In any case where the juvenile probation
29 officer or the state attorney finds that the report,
30 affidavit, or complaint is insufficient by the standards for a
31 probable cause affidavit, the juvenile probation officer or

Bill No. CS for SB 1550Amendment No. 1

1 state attorney shall return the report, affidavit, or
2 complaint, without delay, to the person or agency originating
3 the report, affidavit, or complaint or having knowledge of the
4 facts or to the appropriate law enforcement agency having
5 investigative jurisdiction of the offense, and shall request,
6 and the person or agency shall promptly furnish, additional
7 information in order to comply with the standards for a
8 probable cause affidavit.

9 ~~(a) The juvenile probation officer, upon determining~~
10 ~~that the report, affidavit, or complaint is complete, may, in~~
11 ~~the case of a child who is alleged to have committed a~~
12 ~~delinquent act or violation of law, recommend that the state~~
13 ~~attorney file a petition of delinquency or an information or~~
14 ~~seek an indictment by the grand jury. However, such a~~
15 ~~recommendation is not a prerequisite for any action taken by~~
16 ~~the state attorney.~~

17 (a)~~(b)~~ The juvenile probation officer, upon
18 determining that the report, affidavit, or complaint is
19 complete, pursuant to uniform procedures established by the
20 department, shall:

21 1. When indicated by the preliminary screening,
22 provide for a comprehensive assessment of the child and family
23 for substance abuse problems, using community-based licensed
24 programs with clinical expertise and experience in the
25 assessment of substance abuse problems.

26 2. When indicated by the preliminary screening,
27 provide for a comprehensive assessment of the child and family
28 for mental health problems, using community-based
29 psychologists, psychiatrists, or other licensed mental health
30 professionals with clinical expertise and experience in the
31 assessment of mental health problems.

Bill No. CS for SB 1550

Amendment No. 1

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2 When indicated by the comprehensive assessment, the department
3 is authorized to contract within appropriated funds for
4 services with a local nonprofit community mental health or
5 substance abuse agency licensed or authorized under chapter
6 394, or chapter 397, or other authorized nonprofit social
7 service agency providing related services. The determination
8 of mental health or substance abuse services shall be
9 conducted in coordination with existing programs providing
10 mental health or substance abuse services in conjunction with
11 the intake office. Client information resulting from the
12 screening and evaluation shall be documented pursuant to rules
13 established by the department and shall serve to assist the
14 juvenile probation officer in providing the most appropriate
15 services and recommendations in the least intrusive manner.
16 Such client information shall be used in the multidisciplinary
17 assessment and classification of the child, but such
18 information, and any information obtained directly or
19 indirectly through the assessment process, is inadmissible in
20 court prior to the disposition hearing, unless the child's
21 written consent is obtained. At the disposition hearing,
22 documented client information shall serve to assist the court
23 in making the most appropriate custody, adjudicatory, and
24 dispositional decision. If the screening and assessment
25 indicate that the interest of the child and the public will be
26 best served thereby, the juvenile probation officer, with the
27 approval of the state attorney, may refer the child for care,
28 diagnostic and evaluation services, substance abuse treatment
29 services, mental health services, retardation services, a
30 diversionary or arbitration or mediation program, community
31 service work, or other programs or treatment services

Bill No. CS for SB 1550Amendment No. 1

1 voluntarily accepted by the child and the child's parents or
2 legal guardians. The victim, if any, and the law enforcement
3 agency which investigated the offense shall be notified
4 immediately by the state attorney of the action taken under
5 this paragraph. Whenever a child volunteers to participate in
6 any work program under this chapter or volunteers to work in a
7 specified state, county, municipal, or community service
8 organization supervised work program or to work for the
9 victim, the child shall be considered an employee of the state
10 for the purposes of liability. In determining the child's
11 average weekly wage, unless otherwise determined by a specific
12 funding program, all remuneration received from the employer
13 is considered a gratuity, and the child is not entitled to any
14 benefits otherwise payable under s. 440.15, regardless of
15 whether the child may be receiving wages and remuneration from
16 other employment with another employer and regardless of the
17 child's future wage-earning capacity.

18 (b)(c) The juvenile probation officer, upon
19 determining that the report, affidavit, or complaint complies
20 with the standards of a probable cause affidavit and that the
21 interest of the child and the public will be best served, may
22 recommend that a delinquency petition not be filed. If such a
23 recommendation is made, the juvenile probation officer shall
24 advise in writing the person or agency making the report,
25 affidavit, or complaint, the victim, if any, and the law
26 enforcement agency having investigative jurisdiction of the
27 offense of the recommendation and the reasons therefor; and
28 that the person or agency may submit, within 10 days after the
29 receipt of such notice, the report, affidavit, or complaint to
30 the state attorney for special review. The state attorney,
31 upon receiving a request for special review, shall consider

Bill No. CS for SB 1550Amendment No. 1

1 the facts presented by the report, affidavit, or complaint,
2 and by the juvenile probation officer who made the
3 recommendation that no petition be filed, before making a
4 final decision as to whether a petition or information should
5 or should not be filed.

6 (c)(d) Subject to the interagency agreement authorized
7 under this paragraph, the juvenile probation officer for each
8 case in which a child is alleged to have committed a violation
9 of law or delinquent act and is not detained ~~In all cases in~~
10 ~~which the child is alleged to have committed a violation of~~
11 ~~law or delinquent act and is not detained, the juvenile~~
12 ~~probation officer~~ shall submit a written report to the state
13 attorney, including the original report, complaint, or
14 affidavit, or a copy thereof, including a copy of the child's
15 prior juvenile record, within 20 days after the date the child
16 is taken into custody. In cases in which the child is in
17 detention, the intake office report must be submitted within
18 24 hours after the child is placed into detention. The intake
19 office report may include a recommendation ~~must recommend~~
20 ~~either~~ that a petition or information be filed or that no
21 petition or information be filed, and may ~~must~~ set forth
22 reasons for the recommendation. The State Attorney and the
23 Department of Juvenile Justice may, on a district-by-district
24 basis, enter into interagency agreements denoting the cases
25 that will require a recommendation and those for which a
26 recommendation is unnecessary.

27 (d)(e) The state attorney may in all cases take action
28 independent of the action or lack of action of the juvenile
29 probation officer, and shall determine the action which is in
30 the best interest of the public and the child. If the child
31 meets the criteria requiring prosecution as an adult pursuant

Bill No. CS for SB 1550Amendment No. 1

1 to s. 985.226, the state attorney shall request the court to
2 transfer and certify the child for prosecution as an adult or
3 shall provide written reasons to the court for not making such
4 request. In all other cases, the state attorney may:

- 5 1. File a petition for dependency;
- 6 2. File a petition pursuant to chapter 984;
- 7 3. File a petition for delinquency;
- 8 4. File a petition for delinquency with a motion to
9 transfer and certify the child for prosecution as an adult;
- 10 5. File an information pursuant to s. 985.227;
- 11 6. Refer the case to a grand jury;
- 12 7. Refer the child to a diversionary, pretrial
13 intervention, arbitration, or mediation program, or to some
14 other treatment or care program if such program commitment is
15 voluntarily accepted by the child or the child's parents or
16 legal guardians; or
- 17 8. Decline to file.

18 ~~(e)(f)~~ In cases in which a delinquency report,
19 affidavit, or complaint is filed by a law enforcement agency
20 and the state attorney determines not to file a petition, the
21 state attorney shall advise the clerk of the circuit court in
22 writing that no petition will be filed thereon.

23 Section 5. Subsection (4) of section 985.225, Florida
24 Statutes, is amended to read:

25 985.225 Indictment of a juvenile.--

26 (4)(a) Once a child has been indicted pursuant to this
27 subsection and has been found to have committed any offense
28 for which he or she was indicted as a part of the criminal
29 episode, the child shall be handled thereafter in every
30 respect as if an adult for any subsequent violation of state
31 law, unless the court imposes juvenile sanctions under s.

Bill No. CS for SB 1550

Amendment No. 1

1 985.233.

2 (b) When a child has been indicted pursuant to this
3 subsection the court shall immediately transfer and certify to
4 the adult circuit court all felony cases pertaining to the
5 child, for prosecution of the child as an adult, which have
6 not yet resulted in a plea of guilty or nolo contendere or in
7 which a finding of guilt has not been made. If the child is
8 acquitted of all charged offenses or lesser included offenses
9 contained in the indictment case, all felony cases that were
10 transferred to adult court pursuant to this paragraph shall be
11 subject to the same penalties such cases were subject to
12 before being transferred to adult court.

13 Section 6. Subsection (6) of section 985.218, Florida
14 Statutes, 1998 Supplement, is repealed.

15 Section 7. Subsections (2) and (4) of section 985.226,
16 Florida Statutes, 1998 Supplement, are amended to read:

17 985.226 Criteria for waiver of juvenile court
18 jurisdiction; hearing on motion to transfer for prosecution as
19 an adult.--

20 (2) INVOLUNTARY WAIVER.--

21 (a) Discretionary ~~involuntary~~ waiver.--Except as
22 provided in paragraph (b),the state attorney may file a
23 motion requesting the court to transfer the child for criminal
24 prosecution if the child was 14 years of age or older at the
25 time the alleged delinquent act or violation of law was
26 committed.

27 (b) Mandatory waiver.--

28 1. If the child was 14 years of age or older, and if
29 the child has been previously adjudicated delinquent for an
30 act classified as a felony, which adjudication was for the
31 commission of, attempt to commit, or conspiracy to commit

Bill No. CS for SB 1550Amendment No. 1

1 murder, sexual battery, armed or strong-armed robbery,
2 carjacking, home-invasion robbery, aggravated battery, ~~or~~
3 aggravated assault, or burglary with an assault or battery,
4 and the child is currently charged with a second or subsequent
5 violent crime against a person; ~~or, the state attorney shall~~
6 ~~file a motion requesting the court to transfer and certify the~~
7 ~~juvenile for prosecution as an adult, or proceed pursuant to~~
8 ~~s. 985.227(1).~~

9 ~~2.(b) Mandatory involuntary waiver.--~~If the child was
10 14 years of age or older at the time of commission of a fourth
11 or subsequent alleged felony offense and the child was
12 previously adjudicated delinquent or had adjudication withheld
13 for or was found to have committed, or to have attempted or
14 conspired to commit, three offenses that are felony offenses
15 if committed by an adult, and one or more of such felony
16 offenses involved the use or possession of a firearm or
17 violence against a person;7

18
19 the state attorney shall request the court to transfer and
20 certify the child for prosecution as an adult or shall provide
21 written reasons to the court for not making such request, or
22 proceed pursuant to s. 985.227(1). Upon the state attorney's
23 request, the court shall either enter an order transferring
24 the case and certifying the case for trial as if the child
25 were an adult or provide written reasons for not issuing such
26 an order.

27 (4) EFFECT OF ORDER WAIVING JURISDICTION.--

28 ~~(a) If the court finds, after a waiver hearing under~~
29 ~~subsection (3), that a juvenile who was 14 years of age or~~
30 ~~older at the time the alleged violation of state law was~~
31 ~~committed should be charged and tried as an adult, the court~~

Bill No. CS for SB 1550Amendment No. 1

1 ~~shall enter an order transferring the case and certifying the~~
2 ~~case for trial as if the child were an adult. The child shall~~
3 ~~thereafter be subject to prosecution, trial, and sentencing as~~
4 ~~if the child were an adult but subject to the provisions of s.~~
5 ~~985.233.~~ Once a child has been transferred for criminal
6 prosecution pursuant to an involuntary waiver hearing and has
7 been found to have committed the presenting offense or a
8 lesser included offense, the child shall thereafter be handled
9 in every respect as an adult for any subsequent violation of
10 state law, unless the court imposes juvenile sanctions under
11 s. 985.233.

12 (b) When a child is transferred for criminal
13 prosecution as an adult, the court shall immediately transfer
14 and certify to the adult circuit court all felony cases
15 pertaining to the child, for prosecution of the child as an
16 adult, which have not yet resulted in a plea of guilty or nolo
17 contendere or in which a finding of guilt has not been made.
18 If the child is acquitted of all charged offenses or lesser
19 included offenses contained in the original case transferred
20 to adult court, all felony cases that were transferred to
21 adult court pursuant to this paragraph shall be subject to the
22 same penalties such cases were subject to before being
23 transferred to adult court.

24 Section 8. Subsections (1), (2), (3), and (4) of
25 section 985.227, Florida Statutes, are amended, and subsection
26 (5) is added to that section, to read:

27 985.227 Prosecution of juveniles as adults by the
28 direct filing of an information in the criminal division of
29 the circuit court; discretionary criteria; mandatory
30 criteria.--

31 (1) DISCRETIONARY DIRECT FILE; CRITERIA.--

Bill No. CS for SB 1550Amendment No. 1

1 (a) With respect to any child who was 14 or 15 years
2 of age at the time the alleged offense was committed, the
3 state attorney may file an information when in the state
4 attorney's judgment and discretion the public interest
5 requires that adult sanctions be considered or imposed and
6 when the offense charged is for the commission of, attempt to
7 commit, or conspiracy to commit:

- 8 1. Arson;
- 9 2. Sexual battery;
- 10 3. Robbery;
- 11 4. Kidnapping;
- 12 5. Aggravated child abuse;
- 13 6. Aggravated assault;
- 14 7. Aggravated stalking;
- 15 8. Murder;
- 16 9. Manslaughter;
- 17 10. Unlawful throwing, placing, or discharging of a
18 destructive device or bomb;
- 19 11. Armed burglary in violation of s. 810.02(2)(b) or
20 specified burglary of a dwelling or structure in violation of
21 s. 810.02(2)(c), or burglary with an assault or battery in
22 violation of s. 810.02(2)(a);
- 23 12. Aggravated battery;
- 24 13. Lewd or lascivious assault or act in the presence
25 of a child;
- 26 14. Carrying, displaying, using, threatening, or
27 attempting to use a weapon or firearm during the commission of
28 a felony; or
- 29 15. Grand theft in violation of s. 812.014(2)(a);-
- 30 16. Home invasion robbery; or
- 31 17. Carjacking.

Bill No. CS for SB 1550Amendment No. 1

1 (b) With respect to any child who was 16 or 17 years
2 of age at the time the alleged offense was committed, the
3 state attorney may file an information when in the state
4 attorney's judgment and discretion the public interest
5 requires that adult sanctions be considered or imposed.
6 However, the state attorney may not file an information on a
7 child charged with a misdemeanor, unless the child has had at
8 least two previous adjudications or adjudications withheld for
9 delinquent acts, one of which involved an offense classified
10 as a felony under state law.

11 (2) MANDATORY DIRECT FILE.--

12 (a) With respect to any child who was 16 or 17 years
13 of age at the time the alleged offense was committed, the
14 state attorney shall file an information if the child has been
15 previously adjudicated delinquent for an act classified as a
16 felony, which adjudication was for the commission of, attempt
17 to commit, or conspiracy to commit murder, sexual battery,
18 armed or strong-armed robbery, carjacking, home-invasion
19 robbery, aggravated battery, or aggravated assault, and the
20 child is currently charged with a second or subsequent violent
21 crime against a person.

22 (b) Notwithstanding subsection (1), regardless of the
23 child's age at the time the alleged offense was committed, the
24 state attorney must file an information with respect to any
25 child who previously has been adjudicated for offenses which,
26 if committed by an adult, would be felonies and such
27 adjudications occurred at three or more separate delinquency
28 adjudicatory hearings, and three of which resulted in
29 residential commitments as defined in s. 985.03(45).

30 (c) The state attorney must file an information if a
31 child, regardless of the child's age at the time the alleged

Bill No. CS for SB 1550Amendment No. 1

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

18 (3) EFFECT OF DIRECT FILE.--

19 (a) Once a child has been transferred for criminal
20 prosecution pursuant to an information and has been found to
21 have committed the presenting offense or a lesser included
22 offense, the child shall be handled thereafter in every
23 respect as if an adult for any subsequent violation of state
24 law, unless the court imposes juvenile sanctions under s.
25 985.233.

26 (b) When a child is transferred for criminal
27 prosecution as an adult, the court shall immediately transfer
28 and certify to the adult circuit appropriate court all felony
29 ~~preadjudicatory~~ cases pertaining to the child, for prosecution
30 of the child as an adult, which have not yet resulted in a
31 plea of guilty or nolo contendere or in which a finding of

Bill No. CS for SB 1550Amendment No. 1

1 guilt has not been made. If a child is acquitted of all
2 charged offenses or lesser included offenses contained in the
3 original case transferred to adult court, all felony cases
4 that were transferred to adult court as a result of this
5 paragraph shall be subject to the same penalties to which such
6 cases would have been subject before being transferred to
7 adult court that pertain to that child which are pending in
8 juvenile court, including, but not limited to, all cases
9 involving offenses that occur or are referred between the date
10 of transfer and sentencing in adult court and all outstanding
11 juvenile disposition orders. The juvenile court shall make
12 every effort to dispose of all predispositional cases and
13 transfer those cases to the adult court prior to adult
14 sentencing. It is the intent of the Legislature to require all
15 cases occurring prior to the sentencing hearing in adult court
16 to be handled by the adult court for final resolution with the
17 original transfer case.

18 (c) When a child has been transferred for criminal
19 prosecution as an adult and has been found to have committed a
20 violation of state law, the disposition of the case may be
21 made under s. 985.233 and may include the enforcement of any
22 restitution ordered in any juvenile proceeding.

23 (4) DIRECT-FILE POLICIES AND GUIDELINES.--Each state
24 attorney shall develop ~~and annually update~~ written policies
25 and guidelines to govern determinations for filing an
26 information on a juvenile, to be submitted to the Executive
27 Office of the Governor, the President of the Senate, the
28 Speaker of the House of Representatives, and the Juvenile
29 Justice Advisory Board not later than January 1 of each year.

30 (5) An information filed pursuant to this section may
31 include all charges that are based on the same act, criminal

Bill No. CS for SB 1550Amendment No. 1

1 episode, or transaction as the primary offenses.

2 Section 9. Subsection (7) is added to section 985.228,
3 Florida Statutes, to read:

4 985.228 Adjudicatory hearings; withheld adjudications;
5 orders of adjudication.--

6 (7) Notwithstanding any other provision of law, an
7 adjudication of delinquency for an offense classified as a
8 felony shall disqualify a person from lawfully possessing a
9 firearm until such person reaches 24 years of age.

10 Section 10. Subsections (1) and (2) of section 790.23,
11 Florida Statutes, 1998 Supplement, are amended to read:

12 790.23 Felons and delinquents; possession of firearms
13 or electric weapons or devices unlawful.--

14 (1) It is unlawful for any person to own or to have in
15 his or her care, custody, possession, or control any firearm
16 or electric weapon or device, or to carry a concealed weapon,
17 including a tear gas gun or chemical weapon or device, if that
18 person has been:

19 (a) ~~Convicted of a felony or found to have committed a~~
20 ~~delinquent act that would be a felony if committed by an adult~~
21 in the courts of this state;

22 (b) Found, in the courts of this state, to have
23 committed a delinquent act that would be a felony if committed
24 by an adult and such person is under 24 years of age.

25 ~~(c)(b)~~ Convicted of or found to have committed a crime
26 against the United States which is designated as a felony;

27 ~~(d)(c)~~ Found to have committed a delinquent act in
28 another state, territory, or country that would be a felony if
29 committed by an adult and which was punishable by imprisonment
30 for a term exceeding 1 year and such person is under 24 years
31 of age; or

Bill No. CS for SB 1550

Amendment No. 1

1 ~~(e)(d)~~ Found guilty of an offense that is a felony in
 2 another state, territory, or country and which was punishable
 3 by imprisonment for a term exceeding 1 year.

4 (2) This section shall not apply to a person convicted
 5 of a felony whose civil rights and firearm authority have been
 6 restored, ~~or to a person found to have committed a delinquent~~
 7 ~~act that would be a felony if committed by an adult with~~
 8 ~~respect to which the jurisdiction of the court pursuant to~~
 9 ~~chapter 985 has expired.~~

10 Section 11. Section 985.313, Florida Statutes, is
 11 amended to read:

12 985.313 Juvenile correctional facilities or juvenile
 13 prison ~~Maximum-risk residential program.~~--A juvenile
 14 correctional facility or juvenile prison ~~maximum-risk~~
 15 ~~residential program~~ is a physically secure residential
 16 commitment program with a designated length of stay from 18
 17 months to 36 months, primarily serving children 13 years of
 18 age to 19 years of age, or until the jurisdiction of the court
 19 expires. The court may retain jurisdiction over the child
 20 until the child reaches the age of 21, specifically for the
 21 purpose of the child completing the program. Each child
 22 committed to this level must meet one of the following
 23 criteria:

24 (1) The youth is at least 13 years of age at the time
 25 of the disposition for the current offense and has been
 26 adjudicated on the current offense for:

- 27 (a) Arson;
- 28 (b) Sexual battery;
- 29 (c) Robbery;
- 30 (d) Kidnapping;
- 31 (e) Aggravated child abuse;

Bill No. CS for SB 1550

Amendment No. 1

- 1 (f) Aggravated assault;
- 2 (g) Aggravated stalking;
- 3 (h) Murder;
- 4 (i) Manslaughter;
- 5 (j) Unlawful throwing, placing, or discharging of a
- 6 destructive device or bomb;
- 7 (k) Armed burglary;
- 8 (l) Aggravated battery;
- 9 (m) Carjacking;
- 10 (n) Home-invasion robbery;
- 11 (o) Burglary with an assault or battery;
- 12 (p)~~(m)~~ Lewd or lascivious assault or act in the
- 13 presence of a child; or
- 14 (q)~~(m)~~ Carrying, displaying, using, threatening to
- 15 use, or attempting to use a weapon or firearm during the
- 16 commission of a felony.
- 17 (2) The youth is at least 13 years of age at the time
- 18 of the disposition, the current offense is a felony, and the
- 19 child has previously been committed three or more times to a
- 20 delinquency commitment program.
- 21 (3) The youth is at least 13 years of age and is
- 22 currently committed for a felony offense and transferred from
- 23 a moderate-risk or high-risk residential commitment placement.
- 24 (4) The youth is at least 13 years of age at the time
- 25 of the disposition for the current offense, the youth is
- 26 eligible for prosecution as an adult for the current offense,
- 27 and the current offense is ranked at level 7 or higher on the
- 28 Criminal Punishment Code offense severity ranking chart
- 29 pursuant to s. 921.0022.
- 30
- 31 (Redesignate subsequent sections.)

Bill No. CS for SB 1550

Amendment No. 1

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

2 And the title is amended as follows:

3 On page 1, line 13, after the semicolon,

4

5 insert:

6 amending s. 985.03, F.S.; redesignating
7 "maximum-risk" residential facilities as
8 "juvenile correctional facilities" or "juvenile
9 prisons"; amending s. 985.201, F.S.; conforming
10 a cross-reference for purposes of application
11 to terms of certain restitution orders;
12 amending s. 985.21, F.S.; deleting an
13 authorization for a juvenile probation officer
14 to make certain recommendations to the state
15 attorney; clarifying certain contents of intake
16 reports; authorizing the State Attorney and
17 Department of Juvenile Justice to enter into
18 certain interagency agreements for certain
19 purposes; amending s. 985.225, F.S.; requiring
20 transfer of certain felony cases relating to
21 children to adult court for prosecution as an
22 adult; repealing s. 985.218(6), F.S., relating
23 to adjudicatory hearings for children
24 committing delinquent acts or violations of
25 law; amending s. 985.226, F.S., relating to
26 criteria for discretionary waiver and mandatory
27 waiver of juvenile court jurisdiction; revising
28 the list of specified offenses to include
29 certain additional offenses; amending s.
30 985.227, F.S., relating to discretionary
31 direct-file criteria and mandatory direct-file

Bill No. CS for SB 1550

Amendment No. 1

1 criteria; permitting the filing of an
2 information when a child was 14 or 15 years of
3 age at the time the child attempted to commit
4 or conspired to commit any one of specified
5 offenses; revising duties of the court and
6 guidelines for transfer of cases pertaining to
7 the child when a child is transferred for adult
8 prosecution; removing the requirement for
9 annual updating by the state attorney of
10 direct-file policies and guidelines; providing
11 that the information filed pursuant to
12 specified provisions may include all charges
13 that are based on the same act, criminal
14 episode, or transaction as the primary offense;
15 amending s. 985.228, F.S.; specifying
16 disqualification for possessing a firearm until
17 a certain age for persons adjudicated
18 delinquent for certain felony offenses;
19 amending s. 790.23, F.S.; providing a
20 prohibition against possession of firearms or
21 weapons by certain persons who were found to
22 have committed delinquent acts classified as
23 felonies; amending s. 985.313, F.S.;

24 redesignating "maximum-risk" residential
25 programs as "juvenile correctional facilities"
26 or "juvenile prisons"; providing that a
27 juvenile may be committed to such a facility if
28 adjudicated on certain additional offenses;

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