

By Senator McKay

26-1053-00

See HB

1 A bill to be entitled
2 An act relating to the Florida Statutes;
3 repealing various statutory provisions that
4 have become obsolete, have had their effect,
5 have served their purpose, or have been
6 impliedly repealed or superseded; repealing s.
7 984.226(6), F.S., relating to preliminary and
8 final reports to the Legislature on the pilot
9 program for physically secure facilities for
10 children in need of services; repealing s.
11 985.303(9), F.S., relating to severability of
12 provisions involving neighborhood restorative
13 justice; repealing s. 985.307, F.S., relating
14 to juvenile assignment centers; amending ss.
15 985.209 and 985.215, F.S.; deleting references,
16 to conform; providing an effective date.

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18 Be It Enacted by the Legislature of the State of Florida:

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20 Section 1. Subsection (6) of section 984.226, Florida
21 Statutes, is repealed.

22 Section 2. Subsection (9) of section 985.303, Florida
23 Statutes, is repealed.

24 Section 3. Section 985.307, Florida Statutes, is
25 repealed.

26 Section 4. Subsection (7) of section 985.209, Florida
27 Statutes, is amended to read:

28 985.209 Juvenile assessment centers.--

29 (7) The department may utilize juvenile assessment
30 centers to the fullest extent possible for the purpose of
31 conducting predisposition assessments and evaluations of

1 youth, ~~except where a juvenile assignment center is located.~~
2 Assessments and evaluations may be conducted by juvenile
3 assessment center staff on a youth while he or she is in a
4 juvenile detention center awaiting placement in a residential
5 commitment facility. If feasible, a youth may be transported
6 from a juvenile detention center to a juvenile assessment
7 center for the purpose of conducting an assessment or
8 evaluation. Such assessments and evaluations may include, but
9 are not limited to, needs assessment; substance abuse
10 evaluations; physical and mental health evaluations;
11 psychological evaluations; behavioral assessments; educational
12 assessments; aptitude testing; and vocational testing. To the
13 extent possible, the youth's parents or guardians and other
14 family members should be involved in the assessment and
15 evaluation process. All information, conclusions, treatment
16 recommendations, and reports derived from any assessment and
17 evaluation performed on a youth shall be included as a part of
18 the youth's commitment packet and shall accompany the youth to
19 the residential commitment facility in which the youth is
20 placed.

21 Section 5. Paragraphs (a), (c), and (d) of subsection
22 (10) of section 985.215, Florida Statutes, are amended to
23 read:

24 985.215 Detention.--

25 (10)(a)1. When a child is committed to the Department
26 of Juvenile Justice awaiting dispositional placement, removal
27 of the child from detention care shall occur within 5 days,
28 excluding Saturdays, Sundays, and legal holidays. Any child
29 held in secure detention during the 5 days must meet detention
30 admission criteria pursuant to this section. If the child is
31 committed to a moderate-risk residential program, the

1 department may seek an order from the court authorizing
2 continued detention for a specific period of time necessary
3 for the appropriate residential placement of the child.
4 However, such continued detention in secure detention care may
5 not exceed 15 days after commitment, excluding Saturdays,
6 Sundays, and legal holidays, and except as otherwise provided
7 in this subsection.

8 2. The court must place all children who are
9 adjudicated and awaiting placement in a residential commitment
10 program in detention care. Children who are in home detention
11 care or nonsecure detention care may be placed on electronic
12 monitoring. ~~A child committed to a moderate-risk residential~~
13 ~~program may be held in a juvenile assignment center pursuant~~
14 ~~to s. 985.307 until placement or commitment is accomplished.~~

15 (c) If the child is committed to a high-risk
16 residential program, the child must be held in detention care
17 ~~or in a juvenile assignment center pursuant to s. 985.307~~
18 until placement or commitment is accomplished.

19 (d) If the child is committed to a maximum-risk
20 residential program, the child must be held in detention care
21 ~~or in an assignment center pursuant to s. 985.307~~ until
22 placement or commitment is accomplished.

23 Section 6. This act shall take effect upon becoming a
24 law.

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LEGISLATIVE SUMMARY

Repeals various statutory provisions that have become
obsolete, have had their effect, have served their
purpose, or have been impliedly repealed or superseded.
Repeals or deletes provisions relating to preliminary and
final reports to the Legislature on the pilot program for
physically secure facilities for children in need of
services; severability of provisions involving
neighborhood restorative justice; and juvenile assignment
centers.