

By Representative Gelber

1                                   A bill to be entitled  
2           An act relating to youthful offenders; amending  
3           s. 958.03, F.S.; redefining the term "youthful  
4           offender" to include any inmate under a  
5           specified age; amending s. 958.11, F.S.;  
6           requiring that the Department of Corrections  
7           continuously screen its institutions,  
8           facilities, and programs for the presence of  
9           inmates who are under that specified age;  
10          requiring that the department classify and  
11          assign any such offender as a youthful  
12          offender; providing for inmates under specified  
13          age to be housed in youthful offender  
14          facilities; providing an exception under  
15          certain circumstances; amending s. 944.17,  
16          F.S., relating to commitments and  
17          classifications of prisoners; requiring inmates  
18          under specified age be classified as youthful  
19          offenders and assigned to facilities for  
20          youthful offenders; providing an effective  
21          date.

22  
23 Be It Enacted by the Legislature of the State of Florida:

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25           Section 1. Subsection (5) of section 958.03, Florida  
26 Statutes, is amended to read:

27           958.03 Definitions.--As used in this act:

28           (5) "Youthful offender" means any person who is  
29 sentenced as such by the court under s. 958.04, any person who  
30 ~~or~~ is classified as such by the department, or any inmate who  
31 is less than 18 years of age pursuant to s. 958.04.

1           Section 2. Subsections (4) and (6) of section 958.11,  
2 Florida Statutes, are amended to read:

3           958.11 Designation of institutions and programs for  
4 youthful offenders; assignment from youthful offender  
5 institutions and programs.--

6           (4) The Office of the Assistant Secretary for Youthful  
7 Offenders shall continuously screen all institutions,  
8 facilities, and programs for the presence of any inmate who is  
9 less than 18 years of age meets the eligibility requirements  
10 for youthful offender designation specified in s. 958.04(1)(a)  
11 and (c) whose age does not exceed 24 years and whose total  
12 length of sentence does not exceed 10 years, and the  
13 department shall may classify and assign any such inmate as a  
14 youthful offender ~~any inmate who meets the criteria of this~~  
15 ~~subsection.~~

16           (6) The department may assign to a youthful offender  
17 facility, as a residential assignment, any inmate, except a  
18 ~~capital or life felon,~~ whose age does not exceed 19 years but  
19 who does not otherwise meet the criteria of this section, if  
20 the Assistant Secretary for Youthful Offenders determines that  
21 such inmate's mental or physical vulnerability may would  
22 ~~substantially or materially~~ jeopardize his or her safety in a  
23 nonyouthful offender facility. It is the intent of the  
24 Legislature that any inmate whose age does not exceed 18 years  
25 shall be housed in a youthful offender facility, unless the  
26 inmate presents an unacceptable disciplinary problem at that  
27 facility. Assignments made under this subsection shall be  
28 included in the department's annual report.

29           Section 3. Subsection (2) of section 944.17, Florida  
30 Statutes, is amended to read:

31           944.17 Commitments and classification; transfers.--

