

A bill to be entitled

An act relating to parole for juveniles; amending s. 985.225, F.S.; providing that a child younger than a specified age who is found to have committed an offense punishable by death or life imprisonment is eligible for parole if the child has not previously been adjudicated for certain offenses; requiring that the child be incarcerated in a youthful-offender facility for a minimum period before becoming eligible for parole release; requiring that the Parole Commission review a child for release; requiring the commission to conduct an initial interview with the child; providing that the child's case be periodically reviewed thereafter for eligibility for parole release; providing that, if the child has not been granted parole by the time the child reaches a specified age, the child must be transferred from the youthful-offender facility to an appropriate adult facility; providing an effective date.

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

Section 1. Subsection (4) of section 985.225, Florida Statutes, is redesignated as subsection (5), and a new subsection (4) is added to that section, to read:

985.225 Indictment of a juvenile.--

(4)(a) A child 15 years of age or younger who is found to have committed an offense punishable by death or by life imprisonment, is eligible for parole if the child has not previously been adjudicated for a violation of:

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- 1. Any offense specified in s. 775.084(1)(b)1.;
- 2. Section 784.03, relating to battery;
- 3. Section 827.03, relating to child abuse; or
- 4. Section 828.12, relating to cruelty to animals.

(b) The child must be incarcerated in a facility for youthful offenders for a minimum of 8 years before becoming eligible for parole release.

(c) The Parole Commission shall review the child for release under s. 947.16; however, the commission shall conduct an interview with the child within 8 months after the initial date of confinement in execution of the judgment. Thereafter, the child's case shall be reviewed every 2 years for eligibility for parole release. If the child has not been granted parole by the time the child reaches 25 years of age, the child must be transferred from the facility for youthful offenders to an appropriate facility for adults.

Section 2. This act shall take effect July 1, 2004.