

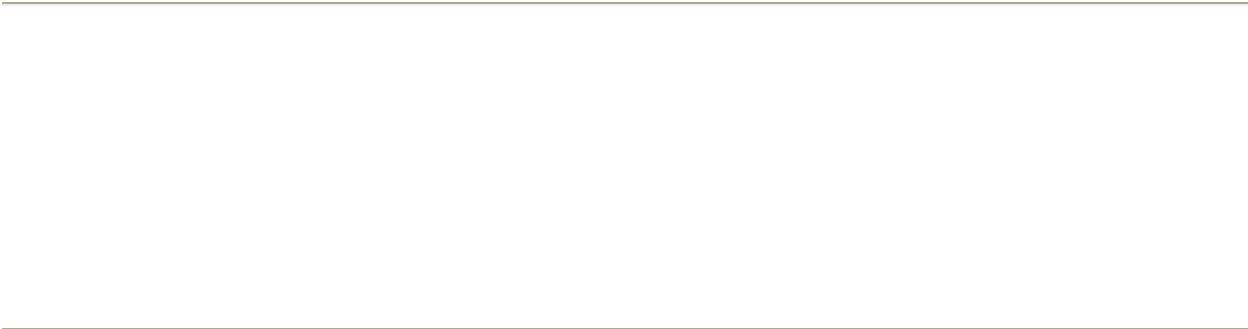
Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

.  
.
.



1 Representative Bilirakis offered the following:

2

3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Section 985.2311, Florida Statutes, is created  
6 to read:

7 985.2311 Cost of supervision; cost of care.--

8 (1) Except as provided in subsection (3) or subsection

9 (4):

10 (a) When any child is placed into home detention,  
11 probation, or other supervision status with the Department of  
12 Juvenile Justice, the court shall order the parent of such child  
13 to pay to the department a fee for the cost of the supervision  
14 of such child in the amount of \$1 per day for each day that the  
15 child is in supervision status.

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16        (b) When any child is placed into secure detention or  
17 placed on committed status and the temporary legal custody of  
18 such child is placed with the Department of Juvenile Justice,  
19 the court shall order the parent of such child to pay to the  
20 department a fee for the cost of the care of such child in the  
21 amount of \$5 per day for each day that the child is in the  
22 temporary legal custody of the department.

23        (2) The parent of any child who has been placed under the  
24 supervision or care of the department shall provide to the  
25 department his or her name, address, social security number,  
26 date of birth, driver's license number or identification card  
27 number, and sufficient financial information so as to assist the  
28 court in determining the parent's ability to pay any fee  
29 associated with the cost of the child's supervision or care. If  
30 the parent refuses to provide the department with the  
31 information required by this subsection, the court shall order  
32 the parent to provide such information. The failure of the  
33 parent to comply with such order of the court constitutes  
34 contempt of court, and the court may punish the parent  
35 accordingly.

36        (3) At the time of any detention or disposition hearing,  
37 the court shall receive the information described in subsection  
38 (2), as well as any other verbal or written information offered  
39 as to the ability of the parent of a child who is being placed  
40 under the supervision or care of the department to pay any fee  
41 imposed pursuant to this section and whether the payment of such  
42 fee will create a significant financial hardship. The court may  
43 apportion the obligation for the fee to each parent in a manner

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44 it deems appropriate; however, the total amount of the daily fee  
45 may not exceed the amounts specified in this section. Any  
46 finding made by the court as to the ability of the parent to pay  
47 such fee, including any finding of indigency or significant  
48 financial hardship, shall be in writing and shall contain a  
49 detailed description of the facts supporting such finding. If  
50 the court makes a finding of indigency and significant financial  
51 hardship, the court shall waive the fee or reduce it to an  
52 amount deemed appropriate.

53 (4) Notwithstanding subsection (3), the court may reduce  
54 or waive the fee as to each parent if the court makes a finding  
55 on the record that the parent was the victim of the delinquent  
56 act or violation of law for which the child has been placed  
57 under the supervision or care of the department and that the  
58 parent or guardian is cooperating or has cooperated with the  
59 investigation of the offense.

60 (5) The court shall order the payment of any fees required  
61 in this section as part of the detention or disposition order.  
62 Such order must include specific written findings as to what  
63 fees are ordered, reduced, or waived. If the court fails to  
64 enter an order as required by this section, the parent is deemed  
65 to have an obligation to pay to the department a fee in the  
66 amount of \$1 per day for each day that the child is under the  
67 supervision of the department and \$5 per day for each day that  
68 the child remains in the care of the department.

69 (6) Notwithstanding subsection (1), with respect to a  
70 child who reaches the age of 18 prior to the detention or  
71 disposition hearing, the court may elect to direct an order

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72 required by this section to such child, rather than to the  
73 child's parent. With regard to a child who reaches 18 while  
74 under the supervision or care of the department, the court may,  
75 upon proper motion of any party, hold a hearing as to whether  
76 any party should be further obligated to pay any fee associated  
77 with cost of the supervision or care of such child. If the court  
78 does not enter an order under this subsection, it shall be  
79 presumed that the court intended for the parent to pay or to  
80 continue to pay the fees specified in this section. Any order  
81 entered pursuant to this subsection must include specific  
82 findings as to what fees are ordered, reduced, or waived as to  
83 the child.

84 (7) With respect to a child who has been placed under the  
85 supervision or care of the department and whose parent receives  
86 public assistance for any portion of such child's care, the  
87 department must seek a federal waiver to garnish or otherwise  
88 order the payment of a portion of the public assistance relating  
89 to such child to offset the costs to the department associated  
90 with providing supervision or care of such child.

91 (8) If any order entered pursuant to this section affects  
92 the guardianship of an estate, a certified copy of such order  
93 shall be delivered to the judge having jurisdiction over the  
94 guardianship of the estate.

95 (9) The department may employ a collection agency for the  
96 purpose of receiving, collecting, and managing the payment of  
97 any fees ordered pursuant to this section that have gone  
98 delinquent or unpaid. The collection agency must be registered  
99 and in good standing under chapter 559. The department may pay

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100 for the services of the collection agency from available  
101 authorized funds or from funds generated by any collections  
102 under this subsection. Alternatively, the department may  
103 authorize the collection agency to withhold a specified amount  
104 of any fee collected as payment for its services.

105 (10) The department or the collection agency shall provide  
106 to the payor documentation of the payment of any fee paid  
107 pursuant to this section. Except as provided in subsection (9),  
108 all payments received by the department or the collection agency  
109 pursuant to this section shall be deposited in the state Grants  
110 and Donations Trust Fund.

111 (11) Under no circumstance shall the court or the  
112 department extend the child's length of stay in the department's  
113 supervision or care solely for the purpose of collecting the  
114 fees specified in this section.

115 (12) No parent or child shall be liable for any fee  
116 provided in this section unless:

117 (a) The child is adjudicated delinquent, or has  
118 adjudication of delinquency withheld, for the offense that gave  
119 rise to the supervision or care; or

120 (b) The child is found to have violated an order of the  
121 court, including any order of supervision or care, and the costs  
122 are associated with the violation of such order.

123  
124 If any funds are paid for the supervision or care of a child who  
125 is determined not to meet the criteria specified in paragraph  
126 (a) or paragraph (b), such funds shall be refunded to the payor  
127 forthwith.

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128       (13) For purposes of this section, "parent" means any  
129 person who meets the definition of "parent" or "legal custody or  
130 guardian" in s. 985.03.

131       Section 2. Subsection (5) of section 985.21, Florida  
132 Statutes, is amended to read:

133       985.21 Intake and case management.--

134       (5) Prior to requesting that a delinquency petition be  
135 filed or prior to filing a dependency petition, the juvenile  
136 probation officer may request the parent or legal guardian of  
137 the child to attend a course of instruction in parenting skills,  
138 training in conflict resolution, and the practice of  
139 nonviolence; to accept counseling; or to receive other  
140 assistance from any agency in the community which notifies the  
141 clerk of the court of the availability of its services. Where  
142 appropriate, the juvenile probation officer shall request both  
143 parents or guardians to receive such parental assistance. The  
144 juvenile probation officer may, in determining whether to  
145 request that a delinquency petition be filed, take into  
146 consideration the willingness of the parent or legal guardian to  
147 comply with such request. The parent or guardian must provide  
148 the juvenile probation officer with identifying information,  
149 including the parent's or guardian's name, address, date of  
150 birth, social security number, and driver's license number or  
151 identification card number in order to comply with s. 985.2311  
152 ~~ss. 985.215(6), 985.231(1)(b), and 985.233(4)(d).~~

153       Section 3. Subsection (6) of section 985.215, Florida  
154 Statutes, as amended by section 140 of chapter 2003-402, Laws of  
155 Florida, is amended to read:

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156           985.215 Detention.--  
157           (6)(a) When any child is placed into secure, ~~nonsecure,~~ or  
158 home detention care or into other placement for the purpose of  
159 being supervised by the Department of Juvenile Justice pursuant  
160 to a court order following a detention hearing, the court shall  
161 order the parents or guardians of such child to pay to the  
162 Department of Juvenile Justice fees as provided under s.  
163 985.2311 in the amount of \$5 per day that the child is under the  
164 care or supervision of the department in order to partially  
165 offset the cost of the care, support, maintenance, and other  
166 usual and ordinary obligations of parents to provide for the  
167 needs of their children, unless the court makes a finding on the  
168 record that the parent or guardian of the child is indigent.  
169           (b) ~~At the time of the detention hearing, the department~~  
170 ~~shall report to the court, verbally or in writing, any available~~  
171 ~~information concerning the ability of the parent or guardian of~~  
172 ~~the child to pay such fee. If the court makes a finding of~~  
173 ~~indigence, the parent or guardian shall pay to the department a~~  
174 ~~nominal subsistence fee of \$2 per day that the child is securely~~  
175 ~~detained outside the home or \$1 per day if the child is~~  
176 ~~otherwise detained in lieu of other fees related to the parent's~~  
177 ~~obligation for the child's cost of care. The nominal subsistence~~  
178 ~~fee may only be waived or reduced if the court makes a finding~~  
179 ~~that such payment would constitute a significant financial~~  
180 ~~hardship. Such finding shall be in writing and shall contain a~~  
181 ~~detailed description of the facts that led the court to make~~  
182 ~~both the finding of indigence and the finding of significant~~  
183 ~~financial hardship.~~

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184 ~~(c) In addition, the court may reduce the fees or waive~~  
185 ~~the fees as to each parent or guardian if the court makes a~~  
186 ~~finding on the record that the parent or guardian was the victim~~  
187 ~~of the delinquent act or violation of law for which the child is~~  
188 ~~detained and that the parent or guardian is cooperating in the~~  
189 ~~investigation of the offense.~~

190 ~~(d) The court must include specific findings in the~~  
191 ~~detention order as to what fees are ordered, reduced, or waived.~~  
192 ~~If the court fails to enter an order as required by this~~  
193 ~~subsection, it shall be presumed that the court intended the~~  
194 ~~parent or guardian to pay to the department the fee of \$5 per~~  
195 ~~day that the child remains in detention care.~~

196 ~~(e) With respect to a child who has been found to have~~  
197 ~~committed a delinquent act or violation of law, whether or not~~  
198 ~~adjudication is withheld, and whose parent or guardian receives~~  
199 ~~public assistance for any portion of that child's care, the~~  
200 ~~department must seek a federal waiver to garnish or otherwise~~  
201 ~~order the payments of the portion of the public assistance~~  
202 ~~relating to that child to offset the costs of providing care,~~  
203 ~~custody, maintenance, rehabilitation, intervention, or~~  
204 ~~corrective services to the child. When the order affects the~~  
205 ~~guardianship estate, a certified copy of the order shall be~~  
206 ~~delivered to the judge having jurisdiction of the guardianship~~  
207 ~~estate.~~

208 ~~(f) The clerk of the circuit court shall act as a~~  
209 ~~depository for these fees. Upon each payment received, the clerk~~  
210 ~~of the circuit court shall receive a fee from the total payment~~  
211 ~~of 3 percent of any payment made except that no fee shall be~~

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212 ~~less than \$1 nor more than \$5 per payment made. This fee shall~~  
213 ~~serve as a service charge for the administration, management,~~  
214 ~~and maintenance of each payment. At the end of each month, the~~  
215 ~~clerk of the circuit court shall send all money collected under~~  
216 ~~this section to the state Grants and Donations Trust Fund.~~

217 ~~(g) The parent or guardian shall provide to the department~~  
218 ~~the parent's or guardian's name, address, social security~~  
219 ~~number, date of birth, and driver's license number or~~  
220 ~~identification card number and sufficient financial information~~  
221 ~~for the department to be able to determine the parent's or~~  
222 ~~guardian's ability to pay. If the parent or guardian refuses to~~  
223 ~~provide the department with any identifying information or~~  
224 ~~financial information, the court shall order the parent to~~  
225 ~~comply and may pursue contempt of court sanctions for failure to~~  
226 ~~comply.~~

227 ~~(h) The department may employ a collection agency for the~~  
228 ~~purpose of receiving, collecting, and managing the payment of~~  
229 ~~unpaid and delinquent fees. The collection agency must be~~  
230 ~~registered and in good standing under chapter 559. The~~  
231 ~~department may pay to the collection agency a fee from the~~  
232 ~~amount collected under the claim or may authorize the agency to~~  
233 ~~deduct the fee from the amount collected. The department may~~  
234 ~~also pay for collection services from available authorized~~  
235 ~~funds.~~

236 ~~(i) The department may enter into agreements with parents~~  
237 ~~or guardians to establish a schedule of periodic payments if~~  
238 ~~payment of the obligation in full presents an undue hardship.~~

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239 ~~Any such agreement may provide for payment of interest~~  
240 ~~consistent with prevailing loan rates.~~

241 ~~(j) The Department of Juvenile Justice shall provide to~~  
242 ~~the payor documentation of any amounts paid by the payor to the~~  
243 ~~Department of Juvenile Justice on behalf of the child. All~~  
244 ~~payments received by the department pursuant to this subsection~~  
245 ~~shall be deposited in the state Grants and Donations Trust Fund.~~  
246 ~~Neither the court nor the department may extend the child's~~  
247 ~~length of stay in detention care solely for the purpose of~~  
248 ~~collecting fees.~~

249 Section 4. Paragraph (b) of subsection (1) of section  
250 985.231, Florida Statutes, as amended by section 141 of chapter  
251 2003-402, Laws of Florida, is amended to read:

252 985.231 Powers of disposition in delinquency cases.--

253 (1)

254 (b)~~1~~. When any child is found adjudicated by the court to  
255 have committed a delinquent act and is placed on probation,  
256 regardless of adjudication, under the supervision of or in the  
257 ~~temporary legal custody of the child has been placed with a~~  
258 ~~licensed child-caring agency or the Department of Juvenile~~  
259 ~~Justice, the court shall order the parents of such child to pay~~  
260 ~~fees to the department as provided under s. 985.2311 in the~~  
261 ~~amount of \$5 per day that the child is under the care or~~  
262 ~~supervision of the department in order to partially offset the~~  
263 ~~cost of the care, support, maintenance, and other usual and~~  
264 ~~ordinary obligations of parents to provide for the needs of~~  
265 ~~their children while in the recommended residential commitment~~

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266 ~~level, unless the court makes a finding on the record that the~~  
267 ~~parent or guardian of the child is indigent.~~

268 ~~2. No later than the disposition hearing, the department~~  
269 ~~shall provide the court with information concerning the actual~~  
270 ~~cost of care, support, and maintenance of the child in the~~  
271 ~~recommended residential commitment level and concerning the~~  
272 ~~ability of the parent or guardian of the child to pay any fees.~~  
273 ~~If the court makes a finding of indigence, the parent or~~  
274 ~~guardianship shall pay to the department a nominal subsistence~~  
275 ~~fee of \$2 per day that the child is committed outside the home~~  
276 ~~or \$1 per day if the child is otherwise supervised in lieu of~~  
277 ~~other fees related to the parents' obligation for the child's~~  
278 ~~cost of care. The nominal subsistence fee may only be waived or~~  
279 ~~reduced if the court makes a finding that such payment would~~  
280 ~~constitute a significant financial hardship. Such finding shall~~  
281 ~~be in writing and shall contain a detailed description of the~~  
282 ~~facts that led the court to make both the finding of indigence~~  
283 ~~and the finding of significant financial hardship.~~

284 ~~3. In addition, the court may reduce the fees or waive the~~  
285 ~~fees as to each parent or guardian if the court makes a finding~~  
286 ~~on the record that the parent or guardian was the victim of the~~  
287 ~~delinquent act or violation of law for which the child is~~  
288 ~~subject to placement under this section and that the parent or~~  
289 ~~guardian has cooperated in the investigation and prosecution of~~  
290 ~~the offense.~~

291 ~~4. All orders committing a child to a residential~~  
292 ~~commitment program shall include specific findings as to what~~  
293 ~~fees are ordered, reduced, or waived. If the court fails to~~

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294 ~~enter an order as required by this paragraph, it shall be~~  
295 ~~presumed that the court intended the parent or guardian to pay~~  
296 ~~fees to the department in an amount of \$5 per day related to the~~  
297 ~~care, support, and maintenance of the child. With regard to a~~  
298 ~~child who reaches the age of 18 prior to the disposition~~  
299 ~~hearing, the court may elect to direct an order required by this~~  
300 ~~paragraph to such child, rather than the parent or guardian.~~  
301 ~~With regard to a child who reaches the age of 18 while in the~~  
302 ~~custody of the department, the court may, upon proper motion of~~  
303 ~~any party, hold a hearing as to whether any party should be~~  
304 ~~further obligated respecting the payment of fees. When the order~~  
305 ~~affects the guardianship estate, a certified copy of the order~~  
306 ~~shall be delivered to the judge having jurisdiction of the~~  
307 ~~guardianship estate.~~

308 ~~5. The clerk of the circuit court shall act as a~~  
309 ~~depository for these fees. Upon each payment received, the clerk~~  
310 ~~of the circuit court shall receive a fee from the total payment~~  
311 ~~of 3 percent of any payment made except that no fee shall be~~  
312 ~~less than \$1 nor more than \$5 per payment made. This fee shall~~  
313 ~~serve as a service charge for the administration, management,~~  
314 ~~and maintenance of each payment. At the end of each month, the~~  
315 ~~clerk of the circuit court shall send all money collected under~~  
316 ~~this section to the state Grants and Donations Trust Fund.~~

317 ~~6. The parent or guardian shall provide to the department~~  
318 ~~the parent or guardian's name, address, social security number,~~  
319 ~~state of birth, and driver's license number or identification~~  
320 ~~card number and sufficient financial information for the~~  
321 ~~department to be able to determine the parent or guardian's~~

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322 ~~ability to pay. If the parent or guardian refuses to provide the~~  
323 ~~department with any identifying information or financial~~  
324 ~~information, the court shall order the parent to comply and may~~  
325 ~~pursue contempt of court sanctions for failure to comply.~~

326 ~~7. The department may employ a collection agency for the~~  
327 ~~purpose of receiving, collecting, and managing the payment of~~  
328 ~~unpaid and delinquent fees. The collection agency must be~~  
329 ~~registered and in good standing under chapter 559. The~~  
330 ~~department may pay to the collection agency a fee from the~~  
331 ~~amount collected under the claim or may authorize the agency to~~  
332 ~~deduct the fee from the amount collected. The department may~~  
333 ~~also pay for collection services from available authorized~~  
334 ~~funds.~~

335 ~~8. The department may enter into agreements with parents~~  
336 ~~or guardians to establish a schedule of periodic payments if~~  
337 ~~payment of the obligation in full presents an undue hardship.~~  
338 ~~Any such agreement may provide for payment of interests~~  
339 ~~consistent with prevailing loan rates.~~

340 ~~9. The Department of Juvenile Justice shall provide to the~~  
341 ~~payor documentation of any amounts paid by the payor to the~~  
342 ~~Department of Juvenile Justice on behalf of the child. All~~  
343 ~~payments received by the department pursuant to this subsection~~  
344 ~~shall be deposited in the state Grants and Donations Trust Fund.~~

345 ~~10. Neither the court nor the department may extend the~~  
346 ~~child's length of stay in placement care solely for the purpose~~  
347 ~~of collecting fees.~~

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348 Section 5. Paragraph (d) of subsection (4) of section  
349 985.233, Florida Statutes, as amended by section 142 of chapter  
350 2003-402, Laws of Florida, is amended to read:

351 985.233 Sentencing powers; procedures; alternatives for  
352 juveniles prosecuted as adults.--

353 (4) SENTENCING ALTERNATIVES.--

354 (d) Recoupment of cost of care or supervision in juvenile  
355 justice programs or facilities.--

356 ~~1. When the court orders any child to be supervised by or  
357 committed ~~commitment of a child~~ to the Department of Juvenile  
358 Justice for treatment in any of the department's programs for  
359 children, the court shall order the parents of such child to pay  
360 fees as provided under s. 985.2311 ~~in the amount of \$5 per day~~  
361 ~~that the child is under the care or supervision of the~~  
362 ~~department in order to partially offset the cost of the care,~~  
363 ~~support, maintenance, and other usual and ordinary obligations~~  
364 ~~of parents to provide for the needs of their children, unless~~  
365 ~~the court makes a finding on the record that the parent or legal~~  
366 ~~guardian of the child is indigent.~~~~

367 ~~2. Prior to commitment, the department shall provide the~~  
368 ~~court with information concerning the actual cost of care in the~~  
369 ~~recommended residential commitment level and concerning the~~  
370 ~~ability of the parent or guardian of the child to pay specified~~  
371 ~~fees. If the court makes a finding of indigency, the parent or~~  
372 ~~guardian shall pay to the department a nominal subsistence fee~~  
373 ~~of \$2 per day that the child is committed outside the home or \$1~~  
374 ~~per day if the child is otherwise supervised in lieu of other~~  
375 ~~fees related to the parent's obligation for the child's cost of~~

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376 ~~care. The nominal subsistence fee may only be waived or reduced~~  
377 ~~if the court makes a finding that such payment would constitute~~  
378 ~~a significant financial hardship. Such finding shall be in~~  
379 ~~writing and shall contain a detailed description of the facts~~  
380 ~~that led the court to make both the finding of indigency and the~~  
381 ~~finding of significant financial hardship.~~

382 ~~3. In addition, the court may reduce the fees or waive the~~  
383 ~~fees as to each parent or guardian if the court makes a finding~~  
384 ~~on the record that the parent or guardian was the victim of the~~  
385 ~~delinquent act or violation of law for which the child is~~  
386 ~~subject to commitment under this section and that the parent or~~  
387 ~~guardian has cooperated in the investigation and prosecution of~~  
388 ~~the offense. When the order affects the guardianship estate, a~~  
389 ~~certified copy of the order shall be delivered to the judge~~  
390 ~~having jurisdiction of the guardianship estate.~~

391 ~~4. All orders committing a child to a residential~~  
392 ~~commitment program shall include specific findings as to what~~  
393 ~~fees are ordered, reduced, or waived. If the court fails to~~  
394 ~~enter an order as required by this paragraph, it shall be~~  
395 ~~presumed that the court intended the parent or guardian to pay~~  
396 ~~fees to the department in an amount of \$5 per day related to the~~  
397 ~~care, support, and maintenance of the child. With regard to a~~  
398 ~~child who reaches the age of 18 prior to the disposition~~  
399 ~~hearing, the court may elect to direct an order required by this~~  
400 ~~paragraph to such child, rather than the parent or guardian.~~  
401 ~~With regard to a child who reaches the age of 18 while in the~~  
402 ~~custody of the department, the court may, upon proper motion of~~

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403 ~~any party, hold a hearing as to whether any party should be~~  
404 ~~further obligated respecting the payment of fees.~~

405 ~~5. The clerk of the circuit court shall act as a~~  
406 ~~depository for these fees. Upon each payment received, the clerk~~  
407 ~~of the circuit court shall receive a fee from the total payment~~  
408 ~~of 3 percent of any payment made except that no fee shall be~~  
409 ~~less than \$1 nor more than \$5 per payment made. This fee shall~~  
410 ~~serve as a service charge for the administration, management,~~  
411 ~~and maintenance of each payment. At the end of each month, the~~  
412 ~~clerk of the circuit court shall send all money collected under~~  
413 ~~this section to the state Grants and Donations Trust Fund.~~

414 ~~6. The parent or guardian shall provide to the department~~  
415 ~~the parent or guardian's name, address, social security number,~~  
416 ~~date of birth, and driver's license number or identification~~  
417 ~~card number and sufficient financial information for the~~  
418 ~~department to be able to determine the parent or guardian's~~  
419 ~~ability to pay. If the parent or guardian refuses to provide the~~  
420 ~~department with any identifying information or financial~~  
421 ~~information, the court shall order the parent to comply and may~~  
422 ~~pursue contempt of court sanctions for failure to comply.~~

423 ~~7. The department may employ a collection agency for the~~  
424 ~~purpose of receiving, collecting, and managing the payment of~~  
425 ~~unpaid and delinquent fees. The collection agency must be~~  
426 ~~registered and in good standing under chapter 559. The~~  
427 ~~department may pay to the collection agency a fee from the~~  
428 ~~amount collected under the claim or may authorize the agency to~~  
429 ~~deduct the fee from the amount collected. The department may~~  
430 ~~also pay for collection services from available authorized~~

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431 ~~funds. The Department of Juvenile Justice shall provide to the~~  
432 ~~payor documentation of any amounts paid by the payor to the~~  
433 ~~Department of Juvenile Justice on behalf of the child. All~~  
434 ~~payments received by the department pursuant to this subsection~~  
435 ~~shall be deposited in the state Grants and Donations Trust Fund.~~

436 ~~8. Neither the court nor the department may extend the~~  
437 ~~child's length of stay in commitment care solely for the purpose~~  
438 ~~of collecting fees.~~

439  
440 It is the intent of the Legislature that the criteria and  
441 guidelines in this subsection are mandatory and that a  
442 determination of disposition under this subsection is subject to  
443 the right of the child to appellate review under s. 985.234.

444 Section 6. Notwithstanding any contrary provision of s.  
445 985.2311, Florida Statutes, for the period beginning July 1,  
446 2004 through June 30, 2005, the court shall reduce the fees  
447 required under that section for parents or guardians who  
448 successfully complete a voluntary parenting course approved by  
449 the Department of Juvenile Justice. The amount of the reduction  
450 shall be equivalent to the amount that the parent or guardian  
451 paid for the course or \$100, whichever is the lesser amount. The  
452 parent or guardian shall be responsible for any balance of fees  
453 associated with the cost of the child's supervision or care that  
454 remains after the application of the reduction authorized under  
455 this section. Any such reduction shall only become effective  
456 upon receipt by the court of notarized documentation from the  
457 provider of the parenting course as to the amount spent by the  
458 parent or guardian in connection with his or her successful

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459 completion of the course. A parent or guardian may only have  
460 fees reduced under this section once. This section shall expire  
461 June 30, 2005.

462 Section 7. This act shall take effect July 1, 2004.

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

466 Remove the entire title and insert:

467 A bill to be entitled

468 An act relating to the costs of supervision and care for  
469 juvenile offenders; clarifying the authority of the court  
470 to assess fees to parents for the costs associated with  
471 the supervision or care of a child by the Department of  
472 Juvenile Justice; creating s. 985.2311, F.S.; requiring  
473 the court to order the parent of a child placed in home  
474 detention, probation, or other supervision status or  
475 placed into secure detention or on committed status with  
476 the department to pay a daily fee for the cost of such  
477 child's supervision or care; specifying the amount of the  
478 fee associated with the cost of supervision; specifying  
479 the amount of the fee associated with the cost of care;  
480 requiring the parent of such child to provide specified  
481 identifying information and information pertaining to the  
482 parent's ability to pay such fees; providing for  
483 enforcement of such requirement through contempt  
484 proceedings; authorizing the court to apportion the  
485 payment obligation; requiring the court to waive or reduce  
486 such fees upon a finding of indigency or significant

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487 financial hardship; requiring such finding to be supported  
488 by facts and detailed in writing; authorizing the court to  
489 reduce or waive such fees as to any parent who was a  
490 victim of the child's delinquent act in certain  
491 circumstances; requiring the court to make written  
492 findings as to what fees are ordered, reduced, or waived;  
493 providing a presumption in the absence of such order;  
494 authorizing the court to order a child to pay such fees in  
495 certain circumstances; requiring the department to seek a  
496 federal waiver to garnish public assistance benefits in  
497 certain circumstances; providing procedures if an order  
498 for payment of such fees affects the guardianship of an  
499 estate; authorizing the department to employ certain  
500 agencies in the collection of delinquent or unpaid fees;  
501 providing for payment for the services of such collection  
502 agency; requiring that certain documentation be provided  
503 relating to the payment of such fees; providing for all  
504 moneys collected by the department or collection agency in  
505 connection with such fees to be transferred to the Grants  
506 and Donations Trust Fund; prohibiting the court or the  
507 department from extending a child's length of supervision  
508 or care solely for the purpose of collecting such fees;  
509 providing a limitation of the responsibility of a parent  
510 or child for such fees; providing for a refund in certain  
511 circumstances; defining the term "parent"; amending s.  
512 985.21, F.S.; revising cross references, to conform;  
513 amending s. 985.215, F.S.; requiring the court to order a  
514 parent to pay fees associated with the cost of the

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515 supervision or care of any child placed on detention  
516 status with the department; providing a cross reference;  
517 deleting provisions relating to the assessment and  
518 collection of fees associated with the cost of such care  
519 to conform; amending s. 985.231, F.S.; requiring the court  
520 to order a parent to pay fees associated with the cost of  
521 the supervision or care of any child found to have  
522 committed a delinquent act, regardless of adjudication,  
523 and placed under the supervision or in the temporary  
524 custody of the department; providing a cross reference;  
525 deleting provisions relating to the assessment and  
526 collection of fees associated with the cost of such  
527 supervision or care to conform; amending s. 985.233, F.S.;  
528 providing for the recoupment of the cost of supervision or  
529 care in juvenile justice programs or facilities; requiring  
530 the court to order a parent to pay fees associated with  
531 the cost of the supervision or care of any child  
532 supervised by or committed to the department; providing a  
533 cross reference; deleting provisions relating to the  
534 assessment and collection of fees associated with the cost  
535 of such supervision or care to conform; requiring the  
536 court to reduce the fees owed by parents or guardians for  
537 the cost of a child's care or supervision by the  
538 department in certain circumstances where the parent or  
539 guardian successfully completes a parenting course;  
540 providing a limit on the amount that such fees may be  
541 reduced; providing for the future repeal of the  
542 requirement; providing an effective date.

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