

By Senator Crist

12-1487-04

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A bill to be entitled
An act relating to indictment of a juvenile;
amending s. 985.225, F.S.; requiring the court
to make a determination of competency when a
minor is indicted for an offense punishable by
death or by life imprisonment; providing an
effective date.

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

Section 1. Subsection (1) of section 985.225, Florida
Statutes, is amended to read:

985.225 Indictment of a juvenile.--

(1) A child of any age who is charged with a violation
of state law punishable by death or by life imprisonment is
subject to the jurisdiction of the court as set forth in s.
985.219(8) unless and until an indictment on the charge is
returned by the grand jury. When such indictment is returned,
the court on its own motion shall make a determination of
competency under s. 985.223. Thereafter,the petition for
delinquency, if any, must be dismissed and the child must be
tried and handled in every respect as an adult:

(a) On the offense punishable by death or by life
imprisonment; and

(b) On all other felonies or misdemeanors charged in
the indictment which are based on the same act or transaction
as the offense punishable by death or by life imprisonment or
on one or more acts or transactions connected with the offense
punishable by death or by life imprisonment.

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

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SENATE SUMMARY

Requires the court to make a determination of competency
when a minor is indicted for a capital offense.