

Bill No. SB 1044

Barcode 511130

CHAMBER ACTION

Senate

House

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The Committee on Judiciary (Clary) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

Section 1. Subsection (1) of section 985.228, Florida Statutes, is amended to read:

985.228 Adjudicatory hearings; withheld adjudications; orders of adjudication.--

(1) If a petition is filed alleging that a child has committed a delinquent act or violation of law, the child, in accordance with the Florida Rules of Juvenile Procedure, shall be brought to an ~~The~~ adjudicatory hearing without demand must be held as soon as practicable within 90 days of the earlier of the date the child was taken into custody or the date of service of the summons issued upon the filing of a petition, except that after the petition alleging that a child has committed a delinquent act or violation of law is filed and in accordance with the Florida Rules of Juvenile Procedure; but

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1 reasonable delay for the purpose of investigation, discovery,
 2 or procuring counsel or witnesses shall be granted. If the
 3 child is being detained, the time limitations provided for in
 4 s. 985.215(5)(c) and (d) apply.

5 Section 2. Rule 8.090, Florida Rules of Juvenile
 6 Procedure, relating to speedy trial, is repealed to the extent
 7 that it is inconsistent with this act.

8 Section 3. This act shall take effect July 1, 2005,
 9 except that section 2 of this act shall take effect only if
 10 this act is passed by a two-thirds vote of the membership of
 11 each house of the Legislature.

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

15 And the title is amended as follows:

16 Delete everything before the enacting clause

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 18

and insert:

19 A bill to be entitled
 20 An act relating to juvenile proceedings;
 21 amending s. 985.228, F.S.; providing the time
 22 period by which a juvenile shall be brought for
 23 an adjudicatory hearing; repealing Florida Rule
 24 of Juvenile Procedure 8.090 to the extent it is
 25 inconsistent with the act; providing an
 26 effective date; providing a contingent
 27 effective date.

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