

Bill No. SB 1738

Barcode 962390

CHAMBER ACTION

Senate

House

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The Committee on Criminal Justice (Wise) recommended the following amendment:

**Senate Amendment (with title amendment)**

On page 3, line 27, through page 4, line 26, delete those lines

and insert:

(h) Regardless of the results of the risk assessment instrument, the child may be held in secure detention if the child:

- 1. Has previously been before the court on two separate arrests for felony delinquent acts; or
- 2. Is before the court charged with aggravated battery on a school district employee; or
- 3. Is found to have endangered the public in the act of fleeing from lawful arrest.

(i)(h) The child is alleged to have violated the conditions of the child's probation or conditional release supervision. However, a child detained under this paragraph may be held only in a consequence unit as provided in s.

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1 985.231(1)(a)1.c. If a consequence unit is not available, the  
2 child shall be placed on home detention with electronic  
3 monitoring.

4       (j)(i) The child is detained on a judicial order for  
5 failure to appear and has previously willfully failed to  
6 appear, after proper notice, for a court ~~an adjudicatory~~  
7 hearing on the same case regardless of the results of the risk  
8 assessment instrument. A child may be held in secure detention  
9 for up to 72 hours in advance of the next scheduled court  
10 hearing pursuant to this paragraph. The child's failure to  
11 keep the clerk of court and defense counsel informed of a  
12 current and valid mailing address where the child will receive  
13 notice to appear at court proceedings does not provide an  
14 adequate ground for excusal of the child's nonappearance at  
15 the hearings.

16       ~~(j) The child is detained on a judicial order for~~  
17 ~~failure to appear and has previously willfully failed to~~  
18 ~~appear, after proper notice, at two or more court hearings of~~  
19 ~~any nature on the same case regardless of the results of the~~  
20 ~~risk assessment instrument. A child may be held in secure~~  
21 ~~detention for up to 72 hours in advance of the next scheduled~~  
22 ~~court hearing pursuant to this paragraph. The child's failure~~  
23 ~~to keep the clerk of court and defense counsel informed of a~~  
24 ~~current and valid mailing address where the child will receive~~  
25 ~~notice to appear at court proceedings does not provide an~~  
26 ~~adequate ground for excusal of the child's nonappearance at~~  
27 ~~the hearings.~~

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

31 And the title is amended as follows:

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On page 1, line 12, after the semicolon

insert:

amending s. 985.215, F.S.; providing for  
detention under certain criteria; providing an  
extension of the statutory time limit on  
post-commitment detention;