

1                   A bill to be entitled  
 2           An act relating to juvenile process and service; amending  
 3           s. 985.219, F.S.; providing for an adjudicatory hearing  
 4           within a specified time for a child alleged to have  
 5           committed a delinquent act or law violation; amending ss.  
 6           985.201 and 985.225, F.S.; conforming cross references;  
 7           providing an effective date.

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

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11           Section 1. Subsections (8), (9), (10), (11), and (12) of  
 12           section 985.219, Florida Statutes, are renumbered as subsections  
 13           (9), (10), (11), (12), and (13), respectively, and a new  
 14           subsection (8) is added to said section, to read:

15           985.219 Process and service.--

16           (8) If a petition is filed alleging the child to have  
 17           committed a delinquent act or violation of law, the child shall  
 18           be brought to an adjudicatory hearing without demand within 90  
 19           days after the earlier of:

20           (a) The date the child was taken into custody; or

21           (b) The date of service of the summons issued upon the  
 22           filing of a petition.

23           Section 2. Paragraph (b) of subsection (3) of section  
 24           985.201, Florida Statutes, is amended to read:

25           985.201 Jurisdiction.--

26           (3)

27           (b) The jurisdiction to be exercised by the court when a  
 28           child is taken into custody before the filing of a petition

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29 | under s. 985.219(9)~~(8)~~ shall be exercised by the circuit court  
30 | for the county in which the child is taken into custody, which  
31 | court shall have personal jurisdiction of the child and the  
32 | child's parent or legal guardian. Upon the filing of a petition  
33 | in the appropriate circuit court, the court that is exercising  
34 | initial jurisdiction of the person of the child shall, if the  
35 | child has been detained, immediately order the child to be  
36 | transferred to the detention center or facility or other  
37 | placement as ordered by the court having subject matter  
38 | jurisdiction of the case.

39 | Section 3. Subsection (1) of section 985.225, Florida  
40 | Statutes, is amended to read:

41 | 985.225 Indictment of a juvenile.--

42 | (1) A child of any age who is charged with a violation of  
43 | state law punishable by death or by life imprisonment is subject  
44 | to the jurisdiction of the court as set forth in s.

45 | 985.219(9)~~(8)~~ unless and until an indictment on the charge is  
46 | returned by the grand jury. When such indictment is returned,  
47 | the petition for delinquency, if any, must be dismissed and the  
48 | child must be tried and handled in every respect as an adult:

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

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

56 | Section 4. This act shall take effect July 1, 2005.