

A bill to be entitled

An act relating to parole for juveniles; amending s. 985.56, F.S.; providing that a child younger than a specified age who is sentenced to life or more than 10 years in prison is eligible for parole if the child has been incarcerated for a minimum period and has not previously been adjudicated for certain offenses; requiring that the child be incarcerated in a youthful offender facility; providing for review of a child's eligibility for parole by the Parole Commission; requiring the commission to conduct an initial interview with the child within a minimum time; requiring that the child be transferred from the youthful offender facility to an appropriate adult facility if the child is not granted parole by the time the child reaches a specified age or by the time the child receives a second parole-eligibility review; providing an effective date.

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

Section 1. Present subsection (4) of section 985.56, Florida Statutes, is redesignated as subsection (5), and a new subsection (4) is added to that section to read:

985.56 Indictment of a juvenile.--

(4) (a) If the child is 15 years of age or younger and is sentenced to life imprisonment or to a minimum term of imprisonment in excess of 10 years, the child is eligible for parole when he or she has served 8 years of that sentence if he

29 or she has not previously been adjudicated for a violation of:

30 1. Any offense specified in s. 775.084(1)(b)1.;

31 2. Section 784.03, relating to battery;

32 3. Section 827.03, relating to child abuse; or

33 4. Section 828.12, relating to cruelty to animals.

34 (b) Except as otherwise provided in s. 958.11(3), the
 35 child shall be incarcerated in a facility for youthful
 36 offenders.

37 (c) The Parole Commission shall review the child's
 38 eligibility for release under ss. 947.16-947.26, except that the
 39 commission shall conduct the initial interview with the child
 40 within 2 months after the initial date of confinement in
 41 execution of the judgment. The age and maturity of the child at
 42 the time of the offense and the wishes of the victim or the next
 43 of kin of the victim must be considered in establishing the
 44 presumptive parole release date. If the child has not been
 45 granted parole by the time the child reaches 25 years of age, or
 46 is not granted parole after a second eligibility review
 47 conducted by the commission before the child reaches 25 years of
 48 age, the child shall be transferred from the facility for
 49 youthful offenders to an appropriate facility for adults.

50 Section 2. This act shall take effect July 1, 2007.