

By Senator Posey

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A bill to be entitled

An act relating to placement of a child in a secure facility following contempt of court; amending s. 984.09, F.S.; providing for a child to be placed in a detention facility or residential commitment facility if a physically secure setting is unavailable and if the child is segregated from delinquent offenders; providing an effective date.

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

Section 1. Subsection (2) of section 984.09, Florida Statutes, is amended to read:

984.09 Punishment for contempt of court; alternative sanctions.--

(2) PLACEMENT IN A SECURE FACILITY.--A child may be placed in a secure facility for purposes of punishment for contempt of court if alternative sanctions are unavailable or inappropriate, or if the child has already been ordered to serve an alternative sanction but failed to comply with the sanction.

(a) A delinquent child who has been held in direct or indirect contempt may be placed in a secure detention facility for 5 days for a first offense or 15 days for a second or subsequent offense, or in a secure residential commitment facility.

(b) A child in need of services who has been held in direct contempt or indirect contempt may be placed, for 5 days for a first offense or 15 days for a second or subsequent offense, in a staff-secure shelter or a staff-secure

1 residential facility solely for children in need of services
2 if such placement is available, or, if such placement is not
3 available, the child may be placed in an appropriate mental
4 health facility or substance abuse facility for assessment. In
5 addition to disposition under this paragraph, a child in need
6 of services who is held in direct contempt or indirect
7 contempt may be placed in a physically secure setting as
8 provided under s. 984.226 if conditions of eligibility are met
9 or, if a physically secure setting is unavailable, the child
10 may be placed in a secure detention facility or secure
11 residential commitment facility if reasonable efforts are made
12 to segregate the child in need of services from the juveniles
13 who have been adjudicated delinquent.

14 Section 2. This act shall take effect upon becoming a
15 law.

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18 SENATE SUMMARY

19 Providing for alternative shelter for a child found in
20 contempt of court if a physically secure setting is
21 unavailable.
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