

1 A bill to be entitled
 2 An act relating to community residential homes; amending
 3 s. 419.001, F.S.; requiring the provision of security for
 4 community residential homes serving residents referred by
 5 criminal justice agencies; providing an effective date.

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 7 WHEREAS, municipalities and their communities are plagued
 8 with and given the responsibility of addressing the inadequacies
 9 of the Agency for Persons with Disabilities, the Department of
 10 Juvenile Justice, the Department of Children and Family
 11 Services, and the Agency for Health Care Administration, which
 12 do not have adequate facilities to provide services for their
 13 present and future wards, and

14 WHEREAS, there are no longer enough state institutions to
 15 house those with mental disabilities within the State of
 16 Florida, and

17 WHEREAS, these same disabled individuals end up committing
 18 crimes, being arrested, and thus becoming defendants in criminal
 19 cases within the state, and

20 WHEREAS, these accused defendants are being housed in
 21 community residences throughout our communities without the
 22 adequate safeguards that exist within the criminal justice
 23 system, and

24 WHEREAS, many of these same defendants may be tried for
 25 their crimes and found not guilty by reason of insanity and are
 26 still housed in these same types of residential homes within our
 27 communities, and

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28 WHEREAS, additional security measures need to be provided
 29 to save our citizens from further acts by these individuals,
 30 NOW, THEREFORE,

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

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34 Section 1. Subsection (12) is added to section 419.001,
 35 Florida Statutes, to read:

36 419.001 Site selection of community residential homes.--

37 (12) A community residential home that serves residents
 38 who are referred by a criminal justice agency, as defined in s.
 39 943.045(10), shall provide 24-hour security at that location in
 40 order to protect the health, safety, and welfare of the other
 41 residents and of the citizens in the surrounding community.

42 Section 2. This act shall take effect July 1, 2008.