Bill No. CS for CS for CS for CS for SB 1614



CHAMBER ACTION

Senate	•	House
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	•	
Floor: WD/3R		
4/25/2008 9:50 AM	•	

Senator Dockery moved the following amendment:

Senate Amendment (with and title amendment)

Delete line(s) 149-286

and insert:

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Section 2. Section 943.16, Florida Statutes, is amended to read:

943.16 Payment of tuition or officer certification examination fee by employing agency; reimbursement of tuition, other course expenses, wages, and benefits.--

(1) An employing agency is authorized to pay any costs of tuition of a trainee in attendance at an approved basic recruit training program.

14 (2) (a) A trainee who attends such approved training program 15 at the expense of an employing agency must remain in the 16 employment or appointment of such employing agency for a period 17 of not less than 2 years after graduation from the basic recruit

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training program. If employment or appointment is terminated on 18 19 the trainee's own initiative within 2 years, he or she shall reimburse the employing agency for the full cost of his or her 20 tuition and τ other course expenses τ and additional amounts as 21 22 provided in paragraph (b).

23 (b) In addition to reimbursement for the full cost of tuition and other course expenses, a trainee terminating 24 employment as provided in paragraph (a) shall reimburse the 25 26 employing agency for the trainee's wages and benefits paid by the 27 employing agency during the academy training period according to the following schedule: 28

29 1. For a trainee terminating employment within 6 months of 30 graduation from the basic recruit training program, the full amount of wages and benefits paid during the academy training 31 32 period.

2. For a trainee terminating employment within 6 months and 33 1 day to 12 months of graduation from the basic recruit training 34 35 program, an amount equal to three-fourths of the full amount of 36 wages and benefits paid during the academy training period.

3. For a trainee terminating employment within 12 months 37 and 1 day to 18 months of graduation from the basic recruit 38 training program, an amount equal to one-half of the full amount 39 of wages and benefits paid during the academy training period. 40 4. For a trainee terminating employment within 18 months 41

42 and 1 day to 24 months of graduation from the basic recruit 43 training program, an amount equal to one-fourth of the full 44 amount of wages and benefits paid during the academy training 45 period.



46 (3) An employing agency is authorized to pay the required
47 fee for an applicant to take the officer certification
48 examination on one occasion.

(4) An employing agency may institute a civil action to collect such cost of tuition <u>and</u>, other course expenses, wages, and benefits as provided in this section if it is not reimbursed, provided that the employing agency gave written notification to the trainee of the 2-year employment commitment during the employment screening process. The trainee shall return signed acknowledgment of receipt of such notification.

56 (5) For purposes of this section, "academy training period" 57 means the period of time that a trainee is attending an approved 58 basic recruit training program in a law enforcement or 59 correctional officer academy class for purposes of obtaining 60 certification pursuant to this chapter, until the date of 61 graduation from such class. the term "other course expenses" 62 includes the cost of meals.

(6) This section does not apply to trainees who terminate
employment with the employing agency and resign their
certification upon termination in order to obtain employment for
which certification under this chapter is not required. Further,
this section does not apply to trainees attending auxiliary
officer training.

69 (7) Notwithstanding the provisions of this section, an 70 employing agency may waive a trainee's requirement of 71 reimbursement in part or in full when the trainee terminates 72 employment due to hardship or extenuating circumstances.

73 Section 3. Subsection (5) of section 944.1905, Florida
74 Statutes, is amended to read:

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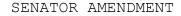


944.1905 Initial inmate classification; inmate reclassification.--The Department of Corrections shall classify inmates pursuant to an objective classification scheme. The initial inmate classification questionnaire and the inmate reclassification questionnaire must cover both aggravating and mitigating factors.

(5) (a) Notwithstanding any other provision of this section 81 or chapter 958, the department shall assign to facilities housing 82 83 youthful offenders specific correctional facilities all inmates who are less than 18 years of age and who are not eligible for 84 85 and have not been assigned to a facility for youthful offenders 86 under the provisions of chapter 958. Such an inmate shall be 87 assigned to a facility for youthful offenders until the inmate is 18 years of age; however, the department may assign the inmate to 88 89 a facility for youthful offenders until the inmate reaches an age not to exceed 21 years if the department determines that the 90 continued assignment is in the best interests of the inmate and 91 the assignment does not pose an unreasonable risk to other 92 93 inmates in the facility. Any such inmate who is less than 18 years of age shall be housed in a dormitory that is separate from 94 95 inmates who are 18 years of age or older. Furthermore, the 96 department shall provide any food service, education, and 97 recreation for such inmate separately from inmates who are 18 98 years of age or older.

99 (b) Notwithstanding the requirements of s. 958.11, any 100 inmate who is less than 18 years of age, who was 15 years of age 101 or younger at the time of his or her offense, and who has no 102 prior juvenile adjudication must be placed in a facility for 103 youthful offenders until the inmate is 18 years of age. At the 104 discretion of the department, such an inmate may be placed in a

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105	facility for youthful offenders until the inmate is 21 years of		
106	age.		
107	<u>(b)</u> Any inmate who is assigned to a facility under		
108	paragraph (a) is subject to the provisions of s. 958.11 regarding		
109	facility assignments, and or paragraph (b) shall be removed and		
110	reassigned to the general inmate population if his or her		
111	behavior threatens the safety of other inmates or correctional		
112	staff.		
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114	(Redesignate subsequent sections.)		
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116	======================================		
117	And the title is amended as follows:		
118	Delete line(s) 5-33		
119	and insert:		
120	community control; amending s. 943.16, F.S.; eliminating		
121	provisions requiring that a law enforcement officer		
122	reimburse the employing agency for wages and benefits paid		
123	by the employing agency if the officer terminates		
124	employment before the end of a 2-year commitment period;		
125	eliminating wages and benefits from the costs that		
126	employing agencies may recover; eliminating the definition		
127	of the term "academy training period"; amending s.		
128	944.1905, F.S.; authorizing the department to assign		
129	certain inmates younger than 18 years of age to a facility		
130	for youthful offenders until the inmate reaches a		
131	specified age; deleting provisions requiring that certain		
132	offenders younger than 18 years of age be housed and		
133	provided certain services separately from older offenders		
134	or placed in a facility for youthful offenders;		

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