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CHAMBER ACTION

Senate

House

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

1 Senator Dockery moved the following amendment:

2
3 Senate Amendment (with and title amendment)

4 Delete line(s) 149-286

5 and insert:

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

8 943.16 Payment of tuition or officer certification
9 examination fee by employing agency; reimbursement of tuition,
10 other course expenses, wages, and benefits.--

11 (1) An employing agency is authorized to pay any costs of
12 tuition of a trainee in attendance at an approved basic recruit
13 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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18 training program. If employment or appointment is terminated on  
19 the trainee's own initiative within 2 years, he or she shall  
20 reimburse the employing agency for the full cost of his or her  
21 tuition and other course expenses, ~~and additional amounts as~~  
22 ~~provided in paragraph (b).~~

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

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

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

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

41 ~~4. For a trainee terminating employment within 18 months~~  
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.~~

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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.

49 (4) An employing agency may institute a civil action to  
50 collect such cost of tuition and, other course expenses, ~~wages,~~  
51 ~~and benefits~~ as provided in this section if it is not reimbursed,  
52 provided that the employing agency gave written notification to  
53 the trainee of the 2-year employment commitment during the  
54 employment screening process. The trainee shall return signed  
55 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.

63 (6) This section does not apply to trainees who terminate  
64 employment with the employing agency and resign their  
65 certification upon termination in order to obtain employment for  
66 which certification under this chapter is not required. Further,  
67 this section does not apply to trainees attending auxiliary  
68 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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75           944.1905 Initial inmate classification; inmate  
76 reclassification.--The Department of Corrections shall classify  
77 inmates pursuant to an objective classification scheme. The  
78 initial inmate classification questionnaire and the inmate  
79 reclassification questionnaire must cover both aggravating and  
80 mitigating factors.

81           (5) (a) Notwithstanding any other provision of this section  
82 or chapter 958, the department shall assign to facilities housing  
83 youthful offenders specific correctional facilities all inmates  
84 who are less than 18 years of age and who ~~are not eligible for~~  
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  
88 18 years of age; however, the department may assign the inmate to  
89 a facility for youthful offenders until the inmate reaches an age  
90 not to exceed 21 years if the department determines that the  
91 continued assignment is in the best interests of the inmate and  
92 the assignment does not pose an unreasonable risk to other  
93 inmates in the facility. Any such inmate who is less than 18  
94 years of age shall be housed in a dormitory that is separate from  
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 (b)-(e) 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.

113  
 114 (Redesignate subsequent sections.)

115  
 116 ===== T I T L E A M E N D M E N T =====

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;