



660448

CHAMBER ACTION

Senate

House

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1 The Committee on Criminal Justice (Crist) recommended the
2 following **amendment**:

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4 **Senate Amendment (with title amendment)**

5 Delete everything after the enacting clause
6 and insert:

7 Section 1. Subsection (2) of section 409.145, Florida
8 Statutes, is amended to read:

9 409.145 Care of children.--

10 (2) The following dependent children shall be subject to
11 the protection, care, guidance, and supervision of the
12 department or any duly licensed public or private agency:

13 (a) Any child who has been temporarily or permanently
14 taken from the custody of the parents, custodians, or guardians

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15 in accordance with those provisions in chapter 39 that relate to
16 dependent children.

17 (b) Any child who is in need of the protective supervision
18 of the department as determined by intake or by the court in
19 accordance with those provisions of chapter 39 that relate to
20 dependent children.

21 (c) Any child who is voluntarily placed, with the written
22 consent of the parents or guardians, in the department's foster
23 care program or the foster care program of a licensed private
24 agency.

25
26 This includes a child who is or has been under the custody,
27 supervision, or care of the Department of Juvenile Justice and
28 who otherwise falls into one of the categories provided in this
29 subsection.

30 Section 2. Subsection (2) of section 409.1451, Florida
31 Statutes, is amended to read:

32 409.1451 Independent living transition services.--

33 (2) ELIGIBILITY.--

34 (a) The department shall serve children who have reached
35 13 years of age but are not yet 18 years of age and who are in
36 foster care by providing services pursuant to subsection (4).
37 This includes children who are or were under the custody,
38 supervision, or care of the Department of Juvenile Justice and
39 who otherwise meet the requirements of this paragraph. Children
40 to be served must meet the eligibility requirements set forth
41 for specific services as provided in this section.

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42 (b) The department shall serve young adults who have
43 reached 18 years of age but are not yet 23 years of age and who
44 were in foster care when they turned 18 years of age or, after
45 reaching 16 years of age, were adopted from foster care or
46 placed with a court-approved dependency guardian and have spent
47 a minimum of 6 months in foster care within the 12 months
48 immediately preceding such placement or adoption, by providing
49 services pursuant to subsection (5). This includes young adults
50 who are or were under the custody, supervision, or care of the
51 Department of Juvenile Justice and who otherwise meet the
52 requirements of this paragraph. Young adults to be served must
53 meet the eligibility requirements set forth for specific
54 services in this section.

55 Section 3. Present subsections (4) through (38) of section
56 985.03, Florida Statutes, are renumbered as subsections (5)
57 through (39), respectively, and present subsections (39) through
58 (57) of section 985.03, Florida Statutes, are renumbered as
59 subsections (41) through (59), respectively and new subsections
60 (4) and (40) are added to that section, to read:

61 985.03 Definitions.--As used in this chapter, the term:

62 (4) "Adult transition services" means services and support
63 for a youth in the custody or under the supervision of the
64 department which has as its objective the acquisition of
65 knowledge, skills, and aptitudes that are essential to a
66 responsible, self-supporting adult life. The array of services
67 provided must include:

68 (a) An assessment of the youth's ability and readiness for
69 adult life.

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70 (b) A plan for the youth to acquire knowledge,
71 information, and counseling sufficient to make a successful
72 transition to adulthood.

73 (c) The purchase of services that are proven to be
74 effective in achieving the objective of successfully
75 transitioning to adulthood.

76 (40) "Ordinary medical care" means medical procedures which
77 are administered or performed on a routine basis and include,
78 but are not limited to, inoculations, physical examinations,
79 remedial treatment for minor illnesses and injuries, preventive
80 services, medication management, chronic disease management and
81 other medical procedures which are administered or performed on
82 a routine basis and which do not involve hospitalization,
83 surgery, or use of general anesthesia.

84 Section 4. Subsection (1), subsection (7) of section
85 985.04, Florida Statutes, are amended to read:

86 985.04 Oaths; records; confidential information.--

87 (1) Except as provided in subsections (2), (3), (6), and
88 (7) and s. 943.053, all information obtained under this chapter
89 in the discharge of official duty by any judge, any employee of
90 the court, any authorized agent of the department, the Parole
91 Commission, the Department of Corrections, the juvenile justice
92 circuit boards, any law enforcement agent, or any licensed
93 professional or licensed community agency representative
94 participating in the assessment or treatment of a juvenile is
95 confidential and may be disclosed only to the authorized
96 personnel of the court, the department and its designees, the
97 Department of Corrections, the Department of Children and

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98 Families, the Parole Commission, law enforcement agents, school
99 superintendents and their designees, any licensed professional
100 or licensed community agency representative participating in the
101 assessment or treatment of a juvenile, and others entitled under
102 this chapter to receive that information, or upon order of the
103 court. Within each county, the sheriff, the chiefs of police,
104 the district school superintendent, and the department shall
105 enter into an interagency agreement for the purpose of sharing
106 information about juvenile offenders among all parties. The
107 agreement must specify the conditions under which summary
108 criminal history information is to be made available to
109 appropriate school personnel, and the conditions under which
110 school records are to be made available to appropriate
111 department personnel. Such agreement shall require notification
112 to any classroom teacher of assignment to the teacher's
113 classroom of a juvenile who has been placed in a probation or
114 commitment program for a felony offense. The agencies entering
115 into such agreement must comply with s. 943.0525, and must
116 maintain the confidentiality of information that is otherwise
117 exempt from s. 119.07(1), as provided by law.

118 (7) (a) Records in the custody of the department regarding
119 children are not open to inspection by the public. Such records
120 may be inspected only upon order of the Secretary of Juvenile
121 Justice or his or her authorized agent by persons who have
122 sufficient reason and upon such conditions for their use and
123 disposition as the secretary or his or her authorized agent
124 deems proper. The information in such records may be disclosed
125 only to other employees of the department who have a need

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126 therefor in order to perform their official duties; to other
127 persons as authorized by rule of the department; and, upon
128 request, to the Department of Corrections and the Department of
129 Children and Families. The secretary or his or her authorized
130 agent may permit properly qualified persons to inspect and make
131 abstracts from records for statistical purposes under whatever
132 conditions upon their use and disposition the secretary or his
133 or her authorized agent deems proper, provided adequate
134 assurances are given that children's names and other identifying
135 information will not be disclosed by the applicant.

136 (b) The destruction of records pertaining to children
137 committed to or supervised by the department pursuant to a court
138 order, which records are retained until a child reaches the age
139 of 24 years or until a serious or habitual delinquent child
140 reaches the age of 26 years, shall be subject to chapter 943.

141 Section 5. Subsection (1) of section 985.494, Florida
142 Statutes, is amended to read:

143 985.494 Commitment programs for juvenile felony
144 offenders.--

145 (1) Notwithstanding any other law and regardless of the
146 child's age, a child who is adjudicated delinquent, or for whom
147 adjudication is withheld, for an act that would be a felony if
148 committed by an adult, shall be committed to:

149 (a) A sheriff's training and respect program under s.
150 985.4891 ~~if the child has participated in an early delinquency~~
151 ~~intervention program as provided in s. 985.61.~~

152 (b) A program for serious or habitual juvenile offenders
153 under s. 985.47 or an intensive residential treatment program

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154 for offenders less than 13 years of age under s. 985.483, if the
155 child has ~~participated in an early delinquency intervention~~
156 ~~program and has~~ completed a sheriff's training and respect
157 program.

158 (c) A maximum-risk residential program, if the child has
159 ~~participated in an early delinquency intervention program,~~ has
160 completed a sheriff's training and respect program, and has
161 completed a program for serious or habitual juvenile offenders
162 or an intensive residential treatment program for offenders less
163 than 13 years of age. The commitment of a child to a maximum-
164 risk residential program must be for an indeterminate period,
165 but may not exceed the maximum term of imprisonment that an
166 adult may serve for the same offense.

167 Section 6. Subsection (2) of section 985.601, Florida
168 Statutes, is amended to read:

169 985.601 Administering the juvenile justice continuum.--

170 (2) (a) The department shall develop and implement an
171 appropriate continuum of care that provides individualized,
172 multidisciplinary assessments, objective evaluations of relative
173 risks, and the matching of needs with placements for all
174 children under its care, and that uses a system of case
175 management to facilitate each child being appropriately
176 assessed, provided with services, and placed in a program that
177 meets the child's needs.

178 (b) The department shall adopt rules to ensure the
179 effective provision of services to youth in the department's
180 care and custody. These services shall, to the extent possible

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181 within available fiscal resources, be commensurate with services
182 youth would receive in the community. The rules shall address:

183 1. The delivery of ordinary medical care in department
184 facilities and programs owned and operated by or contracted by
185 the department;

186 2. The delivery of mental health services in department
187 facilities and programs owned and operated by or contracted by
188 the department;

189 3. The delivery of substance abuse services in department
190 facilities and programs owned and operated by or contracted by
191 the department;

192 4. The delivery of services to youth with developmental
193 disabilities in department facilities and programs owned and
194 operated by or contracted by the department.

195
196 The department shall coordinate its rulemaking with the
197 Department of Children and Families and the Agency for Persons
198 with Disabilities to ensure that the rules promulgated under
199 this section do not encroach upon the substantive jurisdiction
200 of those agencies.

201 Section 7. Section 985.626, Florida Statutes, is created
202 to read:

203 985.626 Adult transition services.--

204 (1) The Legislature finds that older adolescents in the
205 juvenile justice system are often faced with the need to support
206 themselves in the very near future. The Legislature further
207 finds that this can be an overwhelming task particularly if they
208 lack skills to support themselves by legal means and must

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209 overcome the stigma of being delinquent. The Legislature
210 therefore intends that the Department of Juvenile Justice
211 provide adult transition services to assist juveniles in the
212 custody of the department or under its supervision in acquiring
213 the skills necessary to successfully transition to responsible
214 adulthood.

215 (2) The department may provide to children, age 16 or
216 older, who are currently under the department's custody,
217 supervision, or care, an opportunity to participate in adult
218 transition services provided by the department in commitment
219 programs or in probation or conditional release programs in the
220 community. To implement this program, the department shall:

221 (a) Conduct an assessment of the child to determine the
222 child's readiness for adult life, and to determine the skills
223 and abilities the child needs to be able to live independently
224 and become self-sufficient.

225 (b) Based on the assessment, develop an adult transition
226 plan that includes a list of goals, skills, and training needed,
227 recommended services, available resources, and a proposed
228 schedule of activities, which shall become a component of the
229 written case plan required for all youth under the custody,
230 supervision, or care of the department. The child, the child's
231 parent or guardian, probation officer, or case manager, as
232 appropriate, shall be encouraged to participate in the
233 development of the adult transition plan and to sign and commit
234 to following the plan.

235 1. The department shall develop procedures to maximize the
236 participation of parents or guardians in the development of the

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237 plan and the activities and services provided pursuant to this
238 section. If a parent or guardian is unavailable or
239 uncooperative, the plan shall be developed without their
240 participation. If the parent or guardian is available and
241 cooperative, the plan must not conflict with the parents right
242 to nurture and train their child in ways that are within the law
243 and compliant with any court order.

244 2. The plan must describe the child's current skills and a
245 plan for acquiring additional identified skills; provide a plan
246 for acquiring future educational, vocational, and training
247 skills; describe the child's present financial and budgeting
248 capabilities and provide a plan for improving resources and
249 abilities; describe a proposed residence, if applicable; propose
250 services to be provided by the department and other agencies,
251 including the type of service and the nature and frequency of
252 contact; and provide a plan for maintaining or developing
253 relationships with his or her family, other adults, friends, and
254 the community, as appropriate.

255 (c) Provide adult transition services that may include
256 life skills training, including training to develop banking and
257 budgeting skills, time management or organizational skills,
258 interviewing and career planning skills, educational support,
259 employment training; personal health management, and parenting
260 skills, and counseling. If possible, services shall be provided
261 before the child's 18th birthday.

262 1. Children receiving these services should also be
263 provided with information related to social security insurance
264 benefits and public assistance.

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265 2. Services may include residential services and
266 assistance that allows the child to live independently of the
267 daily care and supervision of an adult in a setting that is not
268 required to be licensed under s. 409.175. A child under the care
269 or supervision of the department who has reached 16 years of age
270 but is not yet 19 years of age is eligible for such services if
271 he or she is not a danger to the public safety and is able to
272 demonstrate minimally sufficient skill and aptitude for living
273 with decreased adult supervision, as determined by the
274 department, using established procedures and assessments.

275 (3) The department may contract for the provision of
276 services under this section.

277 (4) Adult transition services delivered under this section
278 shall be coordinated with the delivery of similar services
279 available from the Department of Children and Family Services
280 pursuant to s. 409.1451 and from other public or private
281 agencies. Court-ordered commitment or probation with the
282 department is not a barrier to accessing services otherwise
283 available to children who qualify under s. 409.145.

284 Section 8. Section 985.644, Florida Statutes, is amended
285 to read:

286 985.644 Departmental contracting powers; personnel
287 standards and screening.--

288 (1) ~~The department of Juvenile Justice or the Department~~
289 ~~of Children and Family Services, as appropriate,~~ may contract
290 with the Federal Government, other state departments and
291 agencies, county and municipal governments and agencies, public
292 and private agencies, and private individuals and corporations

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293 in carrying out the purposes of, and the responsibilities
294 established in, this chapter.

295 (a) When the department ~~of Juvenile Justice or the~~
296 ~~Department of Children and Family Services~~ contracts with a
297 provider for any program for children, all personnel, including
298 owners, operators, employees, and volunteers, in the facility
299 must be of good moral character. Each contract entered into by
300 either department for services delivered on an appointment or
301 intermittent basis by a provider that does not have regular
302 custodial responsibility for children and each contract with a
303 school for before or aftercare services must ensure that the
304 owners, operators, and all personnel who have direct contact
305 with children are of good moral character. A volunteer who
306 assists on an intermittent basis for less than 40 hours per
307 month need not be screened if the volunteer is under direct and
308 constant supervision by persons who meet the screening
309 requirements.

310 (b) The department ~~of Juvenile Justice and the Department~~
311 ~~of Children and Family Services~~ shall require employment
312 screening under ~~pursuant to~~ chapter 435, using the level 2
313 standards set forth in that chapter for personnel, in programs
314 for children or youths.

315 (c) The department ~~of Juvenile Justice or the Department~~
316 ~~of Children and Family Services~~ may grant exemptions from
317 disqualification from working with children as provided in s.
318 435.07.

319 ~~(2) The department may contract with the Federal~~
320 ~~Government, other state departments and agencies, county and~~

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321 ~~municipal governments and agencies, public and private agencies,~~
322 ~~and private individuals and corporations in carrying out the~~
323 ~~purposes and the responsibilities of the delinquency services~~
324 ~~and programs of the department.~~

325 (2)~~(3)~~ The department shall adopt a rule pursuant to
326 chapter 120 establishing a procedure to provide notice of policy
327 changes that affect contracted delinquency services and
328 programs. A policy is defined as an operational requirement that
329 applies to only the specified contracted delinquency service or
330 program. The procedure shall include:

- 331 (a) Public notice of policy development.
332 (b) Opportunity for public comment on the proposed policy.
333 (c) Assessment for fiscal impact upon the department and
334 providers.
335 (d) The department's response to comments received.

336 ~~(4) When the department contracts with a provider for any~~
337 ~~delinquency service or program, all personnel, including all~~
338 ~~owners, operators, employees, and volunteers in the facility or~~
339 ~~providing the service or program shall be of good moral~~
340 ~~character. A volunteer who assists on an intermittent basis for~~
341 ~~less than 40 hours per month is not required to be screened if~~
342 ~~the volunteer is under direct and constant supervision by~~
343 ~~persons who meet the screening requirements.~~

344 (3)~~(5)~~(a) For any person employed by the department, or by
345 a provider under contract with the department, in delinquency
346 facilities, services, or programs, the department shall require:

- 347 1. A level 2 employment screening pursuant to chapter 435
348 prior to employment.

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349 2. A federal criminal records check by the Federal Bureau
350 of Investigation every 5 years following the date of the
351 person's employment.

352 (b) Except for law enforcement, correctional, and
353 correctional probation officers, to whom s. 943.13(5) applies,
354 the department shall electronically submit to the Department of
355 Law Enforcement:

356 1. Fingerprint information obtained during the employment
357 screening required by subparagraph (a)1.

358 2. Beginning on December 15, 2005, fingerprint information
359 for all persons employed by the department, or by a provider
360 under contract with the department, in delinquency facilities,
361 services, or programs if such fingerprint information has not
362 previously been electronically submitted to the Department of
363 Law Enforcement under this paragraph.

364 (c) All fingerprint information electronically submitted
365 to the Department of Law Enforcement under paragraph (b) shall
366 be retained by the Department of Law Enforcement and entered
367 into the statewide automated fingerprint identification system
368 authorized by s. 943.05(2)(b). Thereafter, such fingerprint
369 information shall be available for all purposes and uses
370 authorized for arrest fingerprint information entered into the
371 statewide automated fingerprint identification system pursuant
372 to s. 943.051 until the fingerprint information is removed
373 pursuant to paragraph (e). The Department of Law Enforcement
374 shall search all arrest fingerprint information received
375 pursuant to s. 943.051 against the fingerprint information
376 entered into the statewide automated fingerprint system pursuant

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377 to this subsection. Any arrest records identified as a result of
378 the search shall be reported to the department in the manner and
379 timeframe established by the Department of Law Enforcement by
380 rule.

381 (d) The department shall pay an annual fee to the
382 Department of Law Enforcement for its costs resulting from the
383 fingerprint information retention services required by this
384 subsection. The amount of the annual fee and procedures for the
385 submission and retention of fingerprint information and for the
386 dissemination of search results shall be established by the
387 Department of Law Enforcement by a rule that is applicable to
388 the department individually pursuant to this subsection or that
389 is applicable to the department and other employing agencies
390 pursuant to rulemaking authority otherwise provided by law.

391 (e) The department shall notify the Department of Law
392 Enforcement when a person whose fingerprint information is
393 retained by the Department of Law Enforcement under this
394 subsection is no longer employed by the department, or by a
395 provider under contract with the department, in a delinquency
396 facility, service, or program. This notice shall be provided by
397 the department to the Department of Law Enforcement no later
398 than 6 months after the date of the change in the person's
399 employment status. Fingerprint information for persons
400 identified by the department in the notice shall be removed from
401 the statewide automated fingerprint system.

402 ~~(4)(6)~~ The department may grant exemptions from
403 disqualification from working with children as provided in s.
404 435.07.

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405 Section 9. Section 985.66, Florida Statutes, is amended to
406 read:

407 985.66 Juvenile justice training academies; Juvenile
408 Justice Standards and Training ~~Commission~~; Juvenile Justice
409 Training Trust Fund.--

410 (1) LEGISLATIVE PURPOSE.--In order to enable the state to
411 provide a systematic approach to staff development and training
412 for judges, state attorneys, public defenders, law enforcement
413 officers, school district personnel, and juvenile justice
414 program staff that will meet the needs of such persons in their
415 discharge of duties while at the same time meeting the
416 requirements for the American Correction Association
417 accreditation by the Commission on Accreditation for
418 Corrections, it is the purpose of the Legislature to require the
419 department to establish, maintain, and oversee the operation of
420 juvenile justice training academies in the state. The purpose of
421 the Legislature in establishing staff development and training
422 programs is to foster better staff morale and reduce
423 mistreatment and aggressive and abusive behavior in delinquency
424 programs; to positively impact the recidivism of children in the
425 juvenile justice system; and to afford greater protection of the
426 public through an improved level of services delivered by a
427 professionally trained juvenile justice program staff to
428 children who are alleged to be or who have been found to be
429 delinquent.

430 (2) STAFF DEVELOPMENT AND TRAINING ~~JUVENILE JUSTICE~~
431 ~~STANDARDS AND TRAINING COMMISSION~~.--

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432 ~~(a) There is created under the Department of Juvenile~~
433 ~~Justice the Juvenile Justice Standards and Training Commission,~~
434 ~~hereinafter referred to as the commission. The 17-member~~
435 ~~commission shall consist of the Attorney General or designee,~~
436 ~~the Commissioner of Education or designee, a member of the~~
437 ~~juvenile court judiciary to be appointed by the Chief Justice of~~
438 ~~the Supreme Court, and 14 members to be appointed by the~~
439 ~~Secretary of Juvenile Justice as follows:~~

440 ~~1. Seven members shall be juvenile justice professionals:~~
441 ~~a superintendent or a direct care staff member from an~~
442 ~~institution; a director from a contracted community-based~~
443 ~~program; a superintendent and a direct care staff member from a~~
444 ~~regional detention center or facility; a juvenile probation~~
445 ~~officer supervisor and a juvenile probation officer; and a~~
446 ~~director of a day treatment or conditional release program. No~~
447 ~~fewer than three of these members shall be contract providers.~~

448 ~~2. Two members shall be representatives of local law~~
449 ~~enforcement agencies.~~

450 ~~3. One member shall be an educator from the state's~~
451 ~~university and community college program of criminology,~~
452 ~~criminal justice administration, social work, psychology,~~
453 ~~sociology, or other field of study pertinent to the training of~~
454 ~~juvenile justice program staff.~~

455 ~~4. One member shall be a member of the public.~~

456 ~~5. One member shall be a state attorney, or assistant~~
457 ~~state attorney, who has juvenile court experience.~~

458 ~~6. One member shall be a public defender, or assistant~~
459 ~~public defender, who has juvenile court experience.~~

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460 ~~7. One member shall be a representative of the business~~
461 ~~community.~~

462
463 ~~All appointed members shall be appointed to serve terms of 2~~
464 ~~years.~~

465 ~~(b) The composition of the commission shall be broadly~~
466 ~~reflective of the public and shall include minorities and women.~~
467 ~~The term "minorities" as used in this paragraph means a member~~
468 ~~of a socially or economically disadvantaged group that includes~~
469 ~~blacks, Hispanics, and American Indians.~~

470 ~~(c) The Department of Juvenile Justice shall provide the~~
471 ~~commission with staff necessary to assist the commission in the~~
472 ~~performance of its duties.~~

473 ~~(d) The commission shall annually elect its chairperson~~
474 ~~and other officers. The commission shall hold at least four~~
475 ~~regular meetings each year at the call of the chairperson or~~
476 ~~upon the written request of three members of the commission. A~~
477 ~~majority of the members of the commission constitutes a quorum.~~
478 ~~Members of the commission shall serve without compensation but~~
479 ~~are entitled to be reimbursed for per diem and travel expenses~~
480 ~~as provided by s. 112.061 and these expenses shall be paid from~~
481 ~~the Juvenile Justice Training Trust Fund.~~

482 ~~(a)-(e)~~ The powers, duties, and functions of the department
483 commission shall be to:

484 1. Designate the location of the training academies;
485 develop, implement, maintain, and update the curriculum to be
486 used in the training of juvenile justice program staff;
487 establish timeframes for participation in and completion of

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488 training by juvenile justice program staff; develop, implement,
489 maintain, and update job-related examinations; develop,
490 implement, and update the types and frequencies of evaluations
491 of the training academies; approve, modify, or disapprove the
492 budget for the training academies, and the contractor to be
493 selected to organize and operate the training academies and to
494 provide the training curriculum.

495 2. Establish uniform minimum job-related training courses
496 and examinations for juvenile justice program staff.

497 3. Consult and cooperate with the state or any political
498 subdivision; any private entity or contractor; and with private
499 and public universities, colleges, community colleges, and other
500 educational institutions concerning the development of juvenile
501 justice training and programs or courses of instruction,
502 including, but not limited to, education and training in the
503 areas of juvenile justice.

504 4. Enter into ~~With the approval of the department, make~~
505 ~~and enter into such~~ contracts and agreements with other
506 agencies, organizations, associations, corporations,
507 individuals, or federal agencies as ~~the commission determines~~
508 ~~are~~ necessary in the execution of its powers or the performance
509 of its duties.

510 5. ~~Make recommendations to the Department of Juvenile~~
511 ~~Justice concerning any matter within the purview of this~~
512 ~~section.~~

513 (3) JUVENILE JUSTICE TRAINING PROGRAM.--The department
514 ~~commission~~ shall establish a certifiable program for juvenile
515 justice training pursuant to this section, and all department

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516 program staff ~~and providers~~ who deliver direct care services
517 ~~pursuant to contract with the department~~ shall be required to
518 participate in and successfully complete the ~~commission-~~approved
519 program of training pertinent to their areas of responsibility.
520 Judges, state attorneys, and public defenders, law enforcement
521 officers, and school district personnel may participate in such
522 training program. For the juvenile justice program staff, the
523 department ~~commission~~ shall, based on a job-task analysis:

524 (a) Design, implement, maintain, evaluate, and revise a
525 basic training program, including a competency-based
526 examination, for the purpose of providing minimum employment
527 training qualifications for all juvenile justice personnel. All
528 program staff of the department and providers who deliver
529 direct-care services who are hired after October 1, 1999, must
530 meet the following minimum requirements:

531 1. Be at least 19 years of age.

532 2. Be a high school graduate or its equivalent as
533 determined by the department ~~commission~~.

534 3. Not have been convicted of any felony or a misdemeanor
535 involving perjury or a false statement, or have received a
536 dishonorable discharge from any of the Armed Forces of the
537 United States. Any person who, after September 30, 1999, pleads
538 guilty or nolo contendere to or is found guilty of any felony or
539 a misdemeanor involving perjury or false statement is not
540 eligible for employment, notwithstanding suspension of sentence
541 or withholding of adjudication. Notwithstanding this
542 subparagraph, any person who pled nolo contendere to a
543 misdemeanor involving a false statement before October 1, 1999,

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544 and who has had such record of that plea sealed or expunged is
545 not ineligible for employment for that reason.

546 4. Abide by all the provisions of s. 985.644(1) regarding
547 fingerprinting and background investigations and other screening
548 requirements for personnel.

549 5. Execute and submit to the department an affidavit-of-
550 application form, adopted by the department, attesting to his or
551 her compliance with subparagraphs 1.-4. The affidavit must be
552 executed under oath and constitutes an official statement under
553 s. 837.06. The affidavit must include conspicuous language that
554 the intentional false execution of the affidavit constitutes a
555 misdemeanor of the second degree. The employing agency shall
556 retain the affidavit.

557 (b) Design, implement, maintain, evaluate, and revise an
558 advanced training program, including a competency-based
559 examination for each training course, which is intended to
560 enhance knowledge, skills, and abilities related to job
561 performance.

562 (c) Design, implement, maintain, evaluate, and revise a
563 career development training program, including a competency-
564 based examination for each training course. Career development
565 courses are intended to prepare personnel for promotion.

566 (d) The department ~~commission~~ is encouraged to design,
567 implement, maintain, evaluate, and revise juvenile justice
568 training courses, or to enter into contracts for such training
569 courses, that are intended to provide for the safety and well-
570 being of both citizens and juvenile offenders.

571 (4) JUVENILE JUSTICE TRAINING TRUST FUND.--

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572 (a) There is created within the State Treasury a Juvenile
573 Justice Training Trust Fund to be used by the Department of
574 Juvenile Justice for the purpose of funding the development and
575 updating of a job-task analysis of juvenile justice personnel;
576 the development, implementation, and updating of job-related
577 training courses and examinations; and the cost of ~~commission-~~
578 ~~approved~~ juvenile justice training courses; ~~and reimbursement~~
579 ~~for expenses as provided in s. 112.061 for members of the~~
580 ~~commission and staff.~~

581 (b) One dollar from every noncriminal traffic infraction
582 collected pursuant to ss. 318.14(10) (b) and 318.18 shall be
583 deposited into the Juvenile Justice Training Trust Fund.

584 (c) In addition to the funds generated by paragraph (b),
585 the trust fund may receive funds from any other public or
586 private source.

587 (d) Funds that are not expended by the end of the budget
588 cycle or through a supplemental budget approved by the
589 department shall revert to the trust fund.

590 (5) ESTABLISHMENT OF JUVENILE JUSTICE TRAINING
591 ACADEMIES.--The number, location, and establishment of juvenile
592 justice training academies shall be determined by the department
593 ~~commission.~~

594 ~~(6) SCHOLARSHIPS AND STIPENDS.--~~

595 ~~(a) By rule, the commission shall establish criteria to~~
596 ~~award scholarships or stipends to qualified juvenile justice~~
597 ~~personnel who are residents of the state who want to pursue a~~
598 ~~bachelor's or associate in arts degree in juvenile justice or a~~
599 ~~related field. The department shall handle the administration of~~

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600 ~~the scholarship or stipend. The Department of Education shall~~
601 ~~handle the notes issued for the payment of the scholarships or~~
602 ~~stipends. All scholarship and stipend awards shall be paid from~~
603 ~~the Juvenile Justice Training Trust Fund upon vouchers approved~~
604 ~~by the Department of Education and properly certified by the~~
605 ~~Chief Financial Officer. Prior to the award of a scholarship or~~
606 ~~stipend, the juvenile justice employee must agree in writing to~~
607 ~~practice her or his profession in juvenile justice or a related~~
608 ~~field for 1 month for each month of grant or to repay the full~~
609 ~~amount of the scholarship or stipend together with interest at~~
610 ~~the rate of 5 percent per annum over a period not to exceed 10~~
611 ~~years. Repayment shall be made payable to the state for deposit~~
612 ~~into the Juvenile Justice Training Trust Fund.~~

613 ~~(b) The commission may establish the scholarship program~~
614 ~~by rule and implement the program on or after July 1, 1996.~~

615 ~~(7) ADOPTION OF RULES.--The commission shall adopt rules~~
616 ~~as necessary to carry out the provisions of this section.~~

617 ~~(6)-(8) PARTICIPATION OF CERTAIN PROGRAMS IN THE STATE RISK~~
618 ~~MANAGEMENT TRUST FUND.--Pursuant to s. 284.30, the Division of~~
619 ~~Risk Management of the Department of Financial Services is~~
620 ~~authorized to insure a private agency, individual, or~~
621 ~~corporation operating a state-owned training school under a~~
622 ~~contract to carry out the purposes and responsibilities of any~~
623 ~~program of the department. The coverage authorized herein shall~~
624 ~~be under the same general terms and conditions as the department~~
625 ~~is insured for its responsibilities under chapter 284.~~

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626 ~~(9) The Juvenile Justice Standards and Training Commission~~
 627 ~~is terminated on June 30, 2001, and such termination shall be~~
 628 ~~reviewed by the Legislature prior to that date.~~

629 Section 10. Section 984.05, Florida Statutes, is amended
 630 to read:

631 984.05 Rules relating to habitual truants; adoption by
 632 State Board of Education and Department of Juvenile
 633 Justice.--The Department of Juvenile Justice and the State Board
 634 of Education shall work together on the development of, and
 635 shall adopt, rules as necessary for administering the
 636 ~~implementation of~~ ss. 984.03(27), s. 985.03(26) ~~985.03(25)~~, and
 637 1003.27.

638 Section 11. Section 985.61, Florida Statutes, is repealed.

639 Section 12. Subsection (2) of section 985.721, Florida
 640 Statutes, is amended to read:

641 985.721 Escapes from secure detention or residential
 642 commitment facility.--An escape from:

643 (2) Any residential commitment facility described in s.
 644 985.03(46) ~~s. 985.03(44)~~, maintained for the custody, treatment,
 645 punishment, or rehabilitation of children found to have
 646 committed delinquent acts or violations of law; or
 647
 648 constitutes escape within the intent and meaning of s. 944.40
 649 and is a felony of the third degree, punishable as provided in
 650 s. 775.082, s. 775.083, or s. 775.084.

651 Section 13. This act shall take effect July 1, 2008.

652
 653 ===== T I T L E A M E N D M E N T =====

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654 And the title is amended as follows:

655 Delete everything before the enacting clause
656 and insert:

657 A bill to be entitled

658 An act relating to Juvenile Justice; amending ss. 409.145
659 and 409.1451, F.S.; clarifying that a child in the
660 juvenile justice system is eligible for services provided
661 by the Department of Children and Family Services;
662 amending s. 985.03, F.S.; defining the term "adult
663 transition services"; defining the term "ordinary medical
664 care"; amending s. 985.04, F.S.; providing that
665 confidential information obtained during an official's
666 service with juvenile delinquents may be shared with
667 authorized personnel of the Department of Children and
668 Family Services; amending s. 985.494, F.S.; removing
669 references to the early delinquency intervention program
670 when the court considers where to commit a delinquent;
671 amending s. 985.601, F.S.; requiring the Department of
672 Juvenile Justice to adopt rules to establish procedures to
673 provide ordinary medical care, mental health, substance
674 abuse, and developmental disabilities services to youth
675 within the juvenile justice continuum; requiring that, to
676 the extent possible within available fiscal resources, the
677 procedures must be commensurate with procedures that youth
678 receive in the community; creating s. 985.626, F.S.;
679 providing legislative intent; authorizing the Department
680 of Juvenile Justice to provide adult transition services
681 to certain children in their custody or care; authorizing

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682 an assessment and adult transition plan; specifying
683 services; requiring adult transitions services to be
684 coordinating with similar services offered by other
685 agencies; amending s. 985.644, F.S.; deleting references
686 to the Department of Children and Family Services for
687 contracting services that carry out the purposes of the
688 Department of Juvenile Justice; amending s. 985.66, F.S.;
689 transferring the responsibility for the juvenile justice
690 training program from the Juvenile Justice Standards and
691 Training Commission to the Department of Juvenile Justice;
692 repealing s. 985.61, F.S., relating to the early
693 delinquency intervention program; amending ss. 984.05 and
694 985.721, F.S.; conforming cross-references; providing an
695 effective date.