

1 A bill to be entitled
2 An act relating to juvenile justice; amending s. 985.0301,
3 F.S.; permitting a court to retain jurisdiction over a
4 child and the child's parent or legal guardian whom the
5 court has ordered to pay costs, fees, and costs associated
6 with court-appointed counsel until the costs, fees, and
7 costs associated with court-appointed counsel are
8 satisfied; providing intent; amending s. 985.101, F.S.;
9 permitting a child to be taken into custody for violations
10 of pretrial release conditions; authorizing the court to
11 set reasonable conditions of pretrial release; providing
12 examples of such conditions; providing that conditions of
13 pretrial release may not be used to impose home detention
14 when not otherwise authorized; amending s. 985.24, F.S.;
15 providing an additional finding to support use of secure,
16 nonsecure, or home detention; amending s. 985.245, F.S.;
17 providing that placement in detention care under a
18 specified provision does not require a risk assessment;
19 amending s. 985.25, F.S.; providing additional grounds for
20 placement of a child in secure detention care; amending s.
21 985.255, F.S.; providing for continuing nonsecure or home
22 detention care or secure detention care prior to a
23 detention hearing in certain circumstances; amending s.
24 985.26, F.S.; revising time limits for secure, nonsecure,
25 or home detention care under a special detention order;
26 requiring that children who have been released comply with
27 pretrial release conditions; permitting a child to be held
28 in secure detention care for additional time under

29 | specified circumstances; providing that certain time
30 | limits do not apply to secure detention under a specified
31 | provision; amending s. 985.265, F.S.; specifying some
32 | changed circumstances that permit the Department of
33 | Juvenile Justice to transfer a child from nonsecure or
34 | home detention care to secure detention care; amending s.
35 | 985.27, F.S.; specifying circumstances under which a child
36 | who is awaiting placement in a low-risk or minimum-risk
37 | residential program may be held in secure detention care;
38 | providing time limits on such detention care; providing
39 | for secure detention care for absconders from specified
40 | types of care; providing for secure detention care of a
41 | child awaiting placement in a moderate-risk residential
42 | program; providing for secure detention care in specified
43 | circumstances; creating s. 985.28, F.S.; providing for
44 | secure detention of a child in specified circumstances;
45 | permitting a parent or legal guardian of a child to be
46 | held in contempt of court if he or she knowingly and
47 | willfully fails to bring or otherwise prevents the child
48 | from appearing for trial; amending s. 985.35, F.S.;
49 | conforming a cross-reference to changes made by the act;
50 | amending s. 985.43, F.S.; providing legislative intent
51 | concerning the determination whether to commit a juvenile
52 | to the Department of Juvenile Justice and the most
53 | appropriate placement level if the juvenile is committed;
54 | amending s. 985.433, F.S.; revising provisions relating to
55 | recommendations by probation officers to the court
56 | concerning placement and any proposed treatment plan of

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57 juveniles; specifying that the court has the power to
58 determine appropriate dispositions; requiring that reasons
59 for a disposition be stated for the record; creating s.
60 938.20, F.S.; permitting each county to create a juvenile
61 crime prevention fund; providing for an additional court
62 cost; providing for administration and use of funds;
63 providing an effective date.
64

65 Be It Enacted by the Legislature of the State of Florida:
66

67 Section 1. Paragraph (j) of subsection (5) of section
68 985.0301, Florida Statutes, is redesignated as paragraph (k),
69 and a new paragraph (j) is added to that subsection to read:

70 985.0301 Jurisdiction.--

71 (5)

72 (j) The court may retain jurisdiction over a child and the
73 child's parent or legal guardian whom the court has ordered to
74 pay costs, fees, and costs associated with court-appointed
75 counsel until the costs, fees, and costs associated with court-
76 appointed counsel are satisfied, regardless of adjudication. The
77 court may retain jurisdiction under this paragraph in
78 conjunction with paragraph (i), or it may retain jurisdiction
79 solely under this paragraph. It is the intent of the Legislature
80 that the child and the child's parent or legal guardian remain
81 responsible for unpaid costs, fees, and costs associated with
82 court-appointed counsel until the unpaid costs, fees, and costs
83 associated with court-appointed counsel are satisfied, even
84 after the child turns 19 years of age. The implementation of

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85 this paragraph does not, in any way, authorize or otherwise
86 permit details of the juvenile court record to be disclosed
87 except as provided by law.

88 Section 2. Paragraph (d) of subsection (1) of section
89 985.101, Florida Statutes, is amended, and subsection (5) is
90 added to that section, to read:

91 985.101 Taking a child into custody; pretrial release
92 conditions.--

93 (1) A child may be taken into custody under the following
94 circumstances:

95 (d) By a law enforcement officer who has probable cause to
96 believe that the child is in violation of the conditions of the
97 child's pretrial release, conditions of the child's probation,
98 home detention, postcommitment probation, or conditional release
99 supervision; has absconded from nonresidential commitment; or
100 has escaped from residential commitment.

101
102 Nothing in this subsection shall be construed to allow the
103 detention of a child who does not meet the detention criteria in
104 part V.

105 (5) The circuit court shall have the authority to set
106 reasonable conditions of pretrial release. The child shall
107 comply with all such pretrial release conditions prior to an
108 adjudicatory hearing. Reasonable conditions of pretrial release
109 may include, but are not limited to, the following:

110 (a) The child shall obey all laws.

111 (b) The child shall not possess or carry any weapon.

- 112 (c) The child shall not possess or use any alcoholic
- 113 beverage or any illegal drug or associate with those who do.
- 114 (d) The child shall obey all reasonable household rules.
- 115 (e) The child shall attend school regularly, including all
- 116 classes.
- 117 (f) The child shall abide by the curfew set by his or her
- 118 parents or guardian or as set by the court.
- 119 (g) The child shall have no contact with any codefendants,
- 120 an alleged victim, or the family of any alleged victim.
- 121 (h) The child shall not return to the scene of the alleged
- 122 crime.

123

124 The circuit court is not authorized to use conditions of

125 pretrial release under this subsection to impose home detention

126 on a child who does not otherwise qualify for home detention.

127 Section 3. Subsection (1) of section 985.24, Florida

128 Statutes, is amended to read:

129 985.24 Use of detention; prohibitions.--

130 (1) All determinations and court orders regarding the use

131 of secure, nonsecure, or home detention care shall be based

132 primarily upon findings that the child:

133 (a) Presents a substantial risk of not appearing at a

134 subsequent hearing;

135 (b) Presents a substantial risk of inflicting bodily harm

136 on others as evidenced by recent behavior;

137 (c) Presents a history of committing a property offense

138 prior to adjudication, disposition, or placement;

139 (d) Has been adjudicated delinquent and committed to the
 140 department in a residential facility, but is on home or
 141 nonsecure detention care while awaiting placement, and:

142 1. Absconds from home or nonsecure detention care or
 143 otherwise violates the terms of release; or

144 2. There is probable cause to believe that the child has
 145 committed a new violation of law while awaiting placement;

146 (e)~~(d)~~ Has committed contempt of court by:

147 1. Intentionally disrupting the administration of the
 148 court;

149 2. Intentionally disobeying a court order; or

150 3. Engaging in a punishable act or speech in the court's
 151 presence which shows disrespect for the authority and dignity of
 152 the court; or

153 (f)~~(e)~~ Requests protection from imminent bodily harm.

154 Section 4. Subsection (1) of section 985.245, Florida
 155 Statutes, is amended to read:

156 985.245 Risk assessment instrument.--

157 (1) All determinations and court orders regarding
 158 placement of a child into detention care shall comply with all
 159 requirements and criteria provided in this part and shall be
 160 based on a risk assessment of the child, unless the child is
 161 placed into detention care as provided in s. 985.255(2) or s.
 162 985.28.

163 Section 5. Paragraph (b) of subsection (1) of section
 164 985.25, Florida Statutes, is amended to read:

165 985.25 Detention intake.--

166 (1) The juvenile probation officer shall receive custody
 167 of a child who has been taken into custody from the law
 168 enforcement agency and shall review the facts in the law
 169 enforcement report or probable cause affidavit and make such
 170 further inquiry as may be necessary to determine whether
 171 detention care is required.

172 (b) The juvenile probation officer shall base the decision
 173 whether or not to place the child into secure detention care,
 174 home detention care, or nonsecure detention care on an
 175 assessment of risk in accordance with the risk assessment
 176 instrument and procedures developed by the department under s.
 177 985.245. However, a child shall be placed in secure detention
 178 care if:

179 1. The child is charged with possessing or discharging a
 180 firearm on school property in violation of s. 790.115;

181 2. The child is alleged to have absconded from home or
 182 nonsecure detention care or the child otherwise violates the
 183 terms of release after adjudication and commitment to the
 184 department but before placement in a residential facility; or

185 3. There is probable cause to believe the child has
 186 committed a new violation of law while on home or nonsecure
 187 detention care after adjudication and commitment but before
 188 placement in a residential facility ~~shall be placed in secure~~
 189 ~~detention care.~~

190
 191 Under no circumstances shall the juvenile probation officer or
 192 the state attorney or law enforcement officer authorize the

193 detention of any child in a jail or other facility intended or
 194 used for the detention of adults, without an order of the court.

195 Section 6. Paragraphs (a) through (j) of subsection (1) of
 196 section 985.255, Florida Statutes, are redesignated as
 197 paragraphs (c) through (l), respectively, new paragraphs (a) and
 198 (b) are added to that subsection, and paragraphs (a) and (c) of
 199 subsection (3) of that section are amended, to read:

200 985.255 Detention criteria; detention hearing.--

201 (1) Subject to s. 985.25(1), a child taken into custody
 202 and placed into nonsecure or home detention care or detained in
 203 secure detention care prior to a detention hearing may continue
 204 to be detained by the court if:

205 (a) The child is alleged to have absconded from home or
 206 nonsecure detention care or otherwise violates the terms of
 207 release after adjudication and commitment but while awaiting
 208 placement in a residential facility.

209 (b) There is probable cause to believe the child has
 210 committed a new violation of law while on home or nonsecure
 211 detention care after adjudication and commitment but while
 212 awaiting placement in a residential facility.

213 (3) (a) A child who meets any of the criteria in subsection
 214 (1) and who is ordered to be detained under that subsection
 215 shall be given a hearing within 24 hours after being taken into
 216 custody. The purpose of the detention hearing is to determine
 217 the existence of probable cause that the child has committed the
 218 delinquent act or violation of law that he or she is charged
 219 with and the need for continued detention. Unless a child is
 220 detained under paragraph (1) (a), paragraph (1) (b), paragraph

221 (1) (f) ~~(d)~~, or paragraph (1) (g) ~~(e)~~, the court shall use the
 222 results of the risk assessment performed by the juvenile
 223 probation officer and, based on the criteria in subsection (1),
 224 shall determine the need for continued detention. A child placed
 225 into secure, nonsecure, or home detention care may continue to
 226 be so detained by the court. A child detained under paragraph
 227 (1) (a) or paragraph (1) (b) may be placed into secure detention
 228 care pending placement in a residential facility.

229 (c) Except as provided in paragraph (1) (a), paragraph
 230 (1) (b), s. 790.22 (8), or in s. 985.27, when a child is placed
 231 into secure or nonsecure detention care, or into a respite home
 232 or other placement pursuant to a court order following a
 233 hearing, the court order must include specific instructions that
 234 direct the release of the child from such placement no later
 235 than 5 p.m. on the last day of the detention period specified in
 236 s. 985.26 or s. 985.27, whichever is applicable, unless the
 237 requirements of such applicable provision have been met or an
 238 order of continuance has been granted under s. 985.26 (3) ~~(4)~~.

239 Section 7. Section 985.26, Florida Statutes, is amended to
 240 read:

241 985.26 Length of detention.--

242 (1) A child may not be placed into or held in secure,
 243 nonsecure, or home detention care for longer than 24 hours
 244 unless the court orders such detention care, and the order
 245 includes specific instructions that direct the release of the
 246 child from such detention care, in accordance with s. 985.255.
 247 The order shall be a final order, reviewable by appeal under s.
 248 985.534 and the Florida Rules of Appellate Procedure. Appeals of

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249 such orders shall take precedence over other appeals and other
250 pending matters.

251 (2) A child may not be held in secure, nonsecure, or home
252 detention care under a special detention order for more than 30
253 ~~21~~ days unless an adjudicatory hearing for the case has been
254 commenced in good faith by the court. However, upon good cause
255 being shown that the nature of the charge requires additional
256 time for the prosecution or defense of the case, the court may
257 extend the length of detention for an additional 15 ~~9~~ days if
258 the child is charged with an offense that would be, if committed
259 by an adult, a capital felony, a life felony, a felony of the
260 first degree, or a felony of the second degree involving
261 violence against any individual. If a child is released under
262 this subsection, the child must comply with all conditions of
263 pretrial release set by the circuit court. Furthermore, a child
264 may be held in secure detention longer than 30 days if:

265 (a) The child is alleged to have absconded from home or
266 nonsecure detention care or otherwise violates the terms of
267 release after adjudication and commitment but while awaiting
268 placement in a residential facility; or

269 (b) There is probable cause to believe the child has
270 committed a new violation of law while on home or nonsecure
271 detention care after adjudication and commitment but while
272 awaiting placement in a residential facility.

273
274 If a child meets the criteria in this subsection, the child may
275 be held in secure detention care until the child is placed in a
276 residential facility.

277 ~~(3) Except as provided in subsection (2), a child may not~~
 278 ~~be held in secure, nonsecure, or home detention care for more~~
 279 ~~than 15 days following the entry of an order of adjudication.~~

280 (3)~~(4)~~ The time limits in subsection ~~subsections~~ (2) and
 281 ~~(3)~~ do not include periods of delay resulting from a continuance
 282 granted by the court for cause on motion of the child or his or
 283 her counsel or of the state. Upon the issuance of an order
 284 granting a continuance for cause on a motion by either the
 285 child, the child's counsel, or the state, the court shall
 286 conduct a hearing at the end of each 72-hour period, excluding
 287 Saturdays, Sundays, and legal holidays, to determine the need
 288 for continued detention of the child and the need for further
 289 continuance of proceedings for the child or the state.

290 (4) The time limits required under this section do not
 291 apply to children held in secure detention care pursuant to s.
 292 985.28.

293 (5) A child who was not in secure detention care at the
 294 time of the adjudicatory hearing, but for whom residential
 295 commitment is anticipated or recommended, may be placed under a
 296 special detention order for a period not to exceed 72 hours,
 297 excluding weekends and legal holidays, for the purpose of
 298 conducting a comprehensive evaluation as provided in s. 985.185.
 299 Motions for the issuance of such special detention order may be
 300 made subsequent to a finding of delinquency. Upon said motion,
 301 the court shall conduct a hearing to determine the
 302 appropriateness of such special detention order and shall order
 303 the least restrictive level of detention care necessary to
 304 complete the comprehensive evaluation process that is consistent

305 with public safety. Such special detention order may be extended
 306 for an additional 72 hours upon further order of the court.

307 (6) If a child is detained and a petition for delinquency
 308 is filed, the child shall be arraigned in accordance with the
 309 Florida Rules of Juvenile Procedure within 48 hours after the
 310 filing of the petition for delinquency.

311 Section 8. Subsection (1) of section 985.265, Florida
 312 Statutes, is amended to read:

313 985.265 Detention transfer and release; education; adult
 314 jails.--

315 (1) If a child is detained under this part, the department
 316 may transfer the child from nonsecure or home detention care to
 317 secure detention care only if significantly changed
 318 circumstances warrant such transfer. Such circumstances include,
 319 but are not necessarily limited to:

320 (a) Where a child is alleged to have absconded from home
 321 or nonsecure detention care or otherwise violates the terms of
 322 release after adjudication and commitment but while awaiting
 323 placement in a residential facility; or

324 (b) Where probable cause exists that a child has committed
 325 a new violation of law while on home or nonsecure detention care
 326 after adjudication and commitment but while awaiting placement
 327 in a residential facility.

328 Section 9. Subsection (1) of section 985.27, Florida
 329 Statutes, is amended to read:

330 985.27 Postcommitment detention while awaiting
 331 placement.--

332 (1) The court must place all children who are adjudicated
333 and awaiting placement in a commitment program in secure
334 detention care, home detention care, or nonsecure detention
335 care. Children who are in home detention care or nonsecure
336 detention care may be placed on electronic monitoring.

337 (a) A child who is awaiting placement in a low-risk or
338 minimum-risk residential program may only be held in secure
339 detention care if the child violates the conditions of home
340 detention care or nonsecure detention care or otherwise violates
341 the terms of release; the child violates the conditions of the
342 electronic monitoring agreement; or if the child otherwise
343 qualifies for secure detention care under s. 985.255 or under
344 the criteria in this paragraph. The child may be placed in
345 secure detention care for 5 days, excluding Saturdays, Sundays,
346 and legal holidays, for the first violation. For any subsequent
347 violation, the court may impose an additional 15 days in secure
348 detention care. If any child who absconds from home detention
349 care or nonsecure detention care or otherwise violates the terms
350 of release or electronic monitoring, or where there is probable
351 cause that a child committed a new violation of law while on
352 home detention care, nonsecure detention care, or electronic
353 monitoring, and is awaiting placement in a residential program
354 may be held in secure detention care until placed in a
355 residential facility or program with credit for time served. A
356 ~~child who is awaiting placement in a low risk residential~~
357 ~~program must be removed from detention within 5 days, excluding~~
358 ~~Saturdays, Sundays, and legal holidays. Any child held in secure~~
359 ~~detention during the 5 days must meet detention admission~~

360 ~~eriteria under this part. A child who is placed in home~~
361 ~~detention care, nonsecure detention care, or home or nonsecure~~
362 ~~detention care with electronic monitoring, while awaiting~~
363 ~~placement in a minimum risk or low risk program, may be held in~~
364 ~~secure detention care for 5 days, if the child violates the~~
365 ~~conditions of the home detention care, the nonsecure detention~~
366 ~~care, or the electronic monitoring agreement. For any subsequent~~
367 ~~violation, the court may impose an additional 5 days in secure~~
368 ~~detention care.~~

369 (b)1. A child who is awaiting placement in a moderate-risk
370 residential program must be placed in secure detention care,
371 home detention care, or nonsecure detention care. Any child held
372 in secure detention care must meet detention admission criteria
373 under this part.

374 2. A child may not be held in secure detention care longer
375 than 15 days while awaiting placement in a moderate-risk
376 residential facility, except that any child shall be held in
377 secure detention care until placed in a residential facility or
378 program with credit for time served if:

379 a. The child is alleged to have absconded from home
380 detention care or nonsecure detention care or otherwise violated
381 the terms of release or electronic monitoring; or

382 b. Where probable cause exists that a child committed a
383 new violation of law while on home detention care, nonsecure
384 detention care, or electronic monitoring and the child is
385 awaiting placement in a residential program. A child who is
386 ~~awaiting placement in a moderate-risk residential program must~~
387 ~~be removed from detention within 5 days, excluding Saturdays,~~

388 ~~Sundays, and legal holidays. Any child held in secure detention~~
389 ~~during the 5 days must meet detention admission criteria under~~
390 ~~this part. The department may seek an order from the court~~
391 ~~authorizing continued detention for a specific period of time~~
392 ~~necessary for the appropriate residential placement of the~~
393 ~~child. However, such continued detention in secure detention~~
394 ~~care may not exceed 15 days after entry of the commitment order,~~
395 ~~excluding Saturdays, Sundays, and legal holidays, and except as~~
396 ~~otherwise provided in this section. A child who is placed in~~
397 ~~home detention care, nonsecure detention care, or home or~~
398 ~~nonsecure detention care with electronic monitoring, while~~
399 ~~awaiting placement in a moderate risk program, may be held in~~
400 ~~secure detention care for 5 days, if the child violates the~~
401 ~~conditions of the home detention care, the nonsecure detention~~
402 ~~care, or the electronic monitoring agreement. For any subsequent~~
403 ~~violation, the court may impose an additional 5 days in secure~~
404 ~~detention care.~~

405 (c) If the child is committed to a high-risk residential
406 program, the child must be held in secure detention care until
407 placement or commitment is accomplished.

408 (d) If the child is committed to a maximum-risk
409 residential program, the child must be held in secure detention
410 care until placement or commitment is accomplished.

411 Section 10. Section 985.28, Florida Statutes, is created
412 to read:

413 985.28 Appearance in court; pretrial detention;
414 contempt.--

415 (1) A child may be held in secure detention care if, after
 416 proper notice, the child refuses to appear in court, runs away,
 417 or otherwise intentionally avoids his or her appearance in
 418 court. The court may hold the child in secure detention care
 419 until the trial concludes, regardless of the results of the risk
 420 assessment instrument.

421 (2) A parent or legal guardian, after being properly
 422 noticed, who knowingly and willfully fails to bring or otherwise
 423 prevents a child from appearing for trial may be held in
 424 contempt of court.

425 Section 11. Subsection (1) of section 985.35, Florida
 426 Statutes, is amended to read:

427 985.35 Adjudicatory hearings; withheld adjudications;
 428 orders of adjudication.--

429 (1) The adjudicatory hearing must be held as soon as
 430 practicable after the petition alleging that a child has
 431 committed a delinquent act or violation of law is filed and in
 432 accordance with the Florida Rules of Juvenile Procedure; but
 433 reasonable delay for the purpose of investigation, discovery, or
 434 procuring counsel or witnesses shall be granted. If the child is
 435 being detained, the time limitations in s. 985.26(2) ~~and (3)~~
 436 apply.

437 Section 12. Subsection (4) is added to section 985.43,
 438 Florida Statutes, to read:

439 985.43 Predisposition reports; other evaluations.--

440 (4) It is the intent of the Legislature that the court is
 441 in the best position to weigh all facts and circumstances to
 442 determine whether or not to commit a juvenile to the department

443 and to determine the most appropriate placement level for a
 444 juvenile committed to the department.

445 Section 13. Paragraphs (a) and (b) of subsection (7) of
 446 section 985.433, Florida Statutes, are amended to read:

447 985.433 Disposition hearings in delinquency cases.--When a
 448 child has been found to have committed a delinquent act, the
 449 following procedures shall be applicable to the disposition of
 450 the case:

451 (7) If the court determines that the child should be
 452 adjudicated as having committed a delinquent act and should be
 453 committed to the department, such determination shall be in
 454 writing or on the record of the hearing. The determination shall
 455 include a specific finding of the reasons for the decision to
 456 adjudicate and to commit the child to the department, including
 457 any determination that the child was a member of a criminal
 458 street gang.

459 (a) The juvenile probation officer shall make a
 460 recommendation to the court concerning placement and any
 461 proposed treatment plan ~~recommend to the court the most~~
 462 ~~appropriate placement and treatment plan, specifically~~
 463 ~~identifying the restrictiveness level most appropriate for the~~
 464 ~~child.~~ If the court has determined that the child was a member
 465 of a criminal street gang, that determination shall be given
 466 great weight in identifying the most appropriate restrictiveness
 467 level for the child. The court shall consider the department's
 468 recommendation in making its commitment decision.

469 (b) The court may ~~shall~~ commit the child to the department
 470 at the restrictiveness level identified by the department or the

471 court may order placement at a different restrictiveness level.
 472 The court may determine the disposition on the same factors as
 473 the department considered in the department's predisposition
 474 report and placement recommendation even if the court reaches a
 475 different conclusion. The court may commit the child to a
 476 different restrictiveness level than recommended by the
 477 department. The court shall state for the record the reasons for
 478 the disposition imposed ~~that establish by a preponderance of the~~
 479 ~~evidence why the court is disregarding the assessment of the~~
 480 ~~child and the restrictiveness level recommended by the~~
 481 ~~department. Any party may appeal the court's findings resulting~~
 482 ~~in a modified level of restrictiveness under this paragraph.~~

483 Section 14. Section 938.20, Florida Statutes, is created
 484 to read:

485 938.20 County juvenile crime prevention fund.--

486 (1) Notwithstanding s. 318.121, and in addition to ss.
 487 938.19 and 939.185, in each county the board of county
 488 commissioners may adopt a mandatory court cost to be assessed in
 489 specific cases by incorporating by reference the provisions of
 490 this section in a county ordinance. Assessments collected by the
 491 clerk of the circuit court under this section shall be deposited
 492 into an account specifically for the administration of the
 493 county's juvenile crime prevention fund. The proceeds of the
 494 county's juvenile crime prevention fund shall only be used to
 495 fund local programs whose principal focus is the prevention of
 496 juvenile crime, the creation of consequence or suspension
 497 centers, truancy programs, and other areas of local concern
 498 relating to juvenile crime.

499 (2) A sum of up to \$50 shall be assessed as a court cost
500 in the circuit court in the county against each juvenile who
501 pleads guilty or nolo contendere to, or is found guilty of,
502 regardless of adjudication, a violation of criminal law or
503 municipal or county ordinance.

504 (3) The assessment for court costs under this section
505 shall be assessed in addition to any other cost or fee and may
506 not be deducted from the proceeds of any other cost that is
507 received by the county.

508 (4) (a) The clerk of the circuit court shall collect the
509 assessments for court costs under this section and shall remit
510 the assessments to the county's juvenile crime prevention fund
511 monthly.

512 (b) The clerk of the circuit court shall withhold 3
513 percent of the assessments collected, which shall be retained as
514 fee income of the office of the clerk of the circuit court.

515 (5) A county's juvenile crime prevention fund must account
516 for all funds received and disbursed under this section in a
517 written report to the board of county commissioners of that
518 county. The report must be given to the commissioners by August
519 1 of each year unless a different date is required by the
520 commissioners.

521 (6) A county's juvenile crime prevention fund may be
522 administered by a nonprofit organization, a law enforcement
523 agency, the court administrator, the clerk of the circuit court,
524 a county agency, or another similar agency authorized by the
525 board of county commissioners of that county.

526 Section 15. This act shall take effect July 1, 2008.