

Bill No. SPB 7024



254628

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: FAV	.	
2/6/2008	.	
	.	
	.	

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

3
 4 **Senate Amendment (with title amendment)**

5 Between line(s) 175 and 176

6 insert:

7 Section 2. Paragraph (b) of subsection (1) of section
 8 120.57, Florida Statutes, is amended to read:

9 120.57 Additional procedures for particular cases.--

10 (1) ADDITIONAL PROCEDURES APPLICABLE TO HEARINGS INVOLVING
 11 DISPUTED ISSUES OF MATERIAL FACT.--

12 (b) All parties shall have an opportunity to respond, to
 13 present evidence and argument on all issues involved, to conduct
 14 cross-examination and submit rebuttal evidence, to submit
 15 proposed findings of facts and orders, to file exceptions to the

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16 presiding officer's recommended order, and to be represented by
17 counsel or other qualified representative. In proceedings for
18 continued placement of inmates under section 945.45, F.S., the
19 administrative law judge shall appoint the public defender of
20 the circuit in which the treatment facility is located to
21 represent the inmate, unless the inmate is otherwise represented
22 by a private attorney. When appropriate, the general public may
23 be given an opportunity to present oral or written
24 communications. If the agency proposes to consider such
25 material, then all parties shall be given an opportunity to
26 cross-examine or challenge or rebut the material.

27
28 Redesignate subsequent sections.

29
30 ===== T I T L E A M E N D M E N T =====

31 And the title is amended as follows:

32 On line 5, after the semicolon
33 insert:

34 amending s. 120.57, F.S.; authorizing administrative law
35 judges to appoint public defenders to inmates in
36 proceedings for continued placement;