

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Rouson offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Section 948.15, Florida Statutes, is amended to read:

948.15 Misdemeanor probation services.—

(1) A defendant ~~Defendants~~ found guilty of a misdemeanor ~~misdemeanors~~ who is ~~are~~ placed on probation shall be under supervision not to exceed 6 months unless otherwise specified by the court. Probation supervision services for a defendant found guilty of a misdemeanor for possession of a controlled substance or drug paraphernalia under chapter 893 may be provided by a licensed substance abuse education and intervention program, which may provide substance abuse education and intervention as well as any other terms and conditions of probation. In relation

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17 to any offense other than a felony in which the use of alcohol
18 is a significant factor, the period of probation may be up to 1
19 year.

20 (2) A private entity or public entity, including a
21 licensed substance abuse education and intervention program,
22 under the supervision of the board of county commissioners or
23 the court may provide probation services and licensed substance
24 abuse education and treatment intervention programs for
25 offenders sentenced by the county court.

26 (3) Any private entity, including a licensed substance
27 abuse education and intervention program, providing services for
28 the supervision of misdemeanor probationers must contract with
29 the county in which the services are to be rendered. In a county
30 having ~~with~~ a population of fewer ~~less~~ than 70,000, the county
31 court judge, or the administrative judge of the county court in
32 a county that has more than one county court judge, must approve
33 the contract. Terms of the contract must state, but are not
34 limited to:

35 (a) The extent of the services to be rendered by the
36 entity providing supervision or rehabilitation.

37 (b) Staff qualifications and criminal record checks of
38 staff in accordance with essential standards established by the
39 American Correctional Association as of January 1, 1991.

40 (c) Staffing levels.

41 (d) The number of face-to-face contacts with the offender.

42 (e) Procedures for handling the collection of all offender
43 fees and restitution.

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44 (f) Procedures for handling indigent offenders which
45 ensure placement irrespective of ability to pay.

46 (g) Circumstances under which revocation of an offender's
47 probation may be recommended.

48 (h) Reporting and recordkeeping requirements.

49 (i) Default and contract termination procedures.

50 (j) Procedures that aid offenders with job assistance.

51 (k) Procedures for accessing criminal history records of
52 probationers.

53
54 In addition, the entity shall supply the chief judge's office
55 with a quarterly report summarizing the number of offenders
56 supervised by the private entity, payment of the required
57 contribution under supervision or rehabilitation, and the number
58 of offenders for whom supervision or rehabilitation will be
59 terminated. All records of the entity must be open to inspection
60 upon the request of the county, the court, the Auditor General,
61 the Office of Program Policy Analysis and Government
62 Accountability, or agents thereof.

63 (4) A private entity that provides court-ordered services
64 to offenders and that charges a fee for such services must
65 register with the board of county commissioners in the county in
66 which the services are offered. The entity shall provide the
67 following information for each program it operates:

68 (a) The length of time the program has been operating in
69 the county.

70 (b) A list of the staff and a summary of their
71 qualifications.

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72 (c) A summary of the types of services that are offered
73 under the program.

74 (d) The fees the entity charges for court-ordered services
75 and its procedures, if any, for handling indigent offenders.

76 (5) The private entity, including a licensed substance
77 abuse education and intervention program, providing misdemeanor
78 supervision services must ~~shall~~ also comply with all other
79 applicable provisions of law.

80 Section 2. This act shall take effect July 1, 2012.

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T I T L E A M E N D M E N T

83 Remove the entire title and insert:

84 A bill to be entitled

85
86 An act relating to substance abuse education and
87 intervention programs; amending s. 948.15, F.S.;
88 providing that probation supervision services for
89 defendants found guilty of certain misdemeanor
90 controlled substance offenses may be provided by
91 licensed substance abuse education and intervention
92 programs; authorizing certain entities providing
93 probation services to provide licensed substance abuse
94 education and intervention programs; requiring private
95 entities providing such programs to contract with the
96 county and comply with other applicable provisions;
97 providing an effective date.