

HB 603

2013

1                   A bill to be entitled  
2           An act relating to juvenile civil citations; amending  
3           s. 985.12, F.S.; requiring that a law enforcement  
4           officer, upon making contact with a juvenile who  
5           admits having committed a misdemeanor, issue a civil  
6           citation in certain circumstances; providing an  
7           effective date.  
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9   Be It Enacted by the Legislature of the State of Florida:  
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11           Section 1. Subsection (1) of section 985.12, Florida  
12           Statutes, is amended to read:

13           985.12 Civil citation.—

14           (1) There is established a juvenile civil citation process  
15           for the purpose of providing an efficient and innovative  
16           alternative to custody by the department ~~of Juvenile Justice~~ for  
17           children who commit nonserious delinquent acts and to ensure  
18           swift and appropriate consequences. The department shall  
19           encourage and assist in the implementation and improvement of  
20           civil citation programs or other similar diversion programs  
21           around the state. The civil citation or similar diversion  
22           program shall be established at the local level with the  
23           concurrence of the chief judge of the circuit, state attorney,  
24           public defender, and the head of each local law enforcement  
25           agency involved. The program may be operated by an entity such  
26           as a law enforcement agency, the department, a juvenile  
27           assessment center, the county or municipality, or some other  
28           entity selected by the county or municipality. An entity

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29 | operating the civil citation or similar diversion program must  
30 | do so in consultation and agreement with the state attorney and  
31 | local law enforcement agencies. Under such a juvenile civil  
32 | citation or similar diversion program, any law enforcement  
33 | officer, upon making contact with a juvenile who admits having  
34 | committed a misdemeanor, shall ~~may~~ issue a civil citation and  
35 | assess not more than 50 community service hours, and require  
36 | participation in intervention services as indicated by an  
37 | assessment of the needs of the juvenile, including family  
38 | counseling, urinalysis monitoring, and substance abuse and  
39 | mental health treatment services. A copy of each citation issued  
40 | under this section shall be provided to the department, and the  
41 | department shall enter appropriate information into the juvenile  
42 | offender information system. Only first-time misdemeanor  
43 | offenders are eligible for the civil citation or similar  
44 | diversion program. At the conclusion of a juvenile's civil  
45 | citation or similar diversion program, the agency operating the  
46 | program shall report the outcome to the department. The issuance  
47 | of a civil citation is not considered a referral to the  
48 | department.

49 |       Section 2. This act shall take effect July 1, 2013.