

By Senator Gibson

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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
29 operating the civil citation or similar diversion program must

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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.