

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Criminal Justice

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BILL: SB 672

INTRODUCER: Senator Evers

SUBJECT: Juvenile Justice/Youth Custody Officers

DATE: February 20, 2013

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Dugger	Cannon	CJ	<b>Pre-meeting</b>
2.			JU	
3.			ACJ	
4.			AP	
5.				
6.				

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**I. Summary:**

SB 672 repeals s. 985.105, F.S., creating youth custody officers within the Department of Juvenile Justice (DJJ), because these positions no longer exist. The bill also deletes language in s. 121.0515, F.S., classifying these positions as special risk positions for purposes of the Florida Retirement System.

The bill repeals section 985.105, Florida Statutes. The bill substantially amends section 121.0515, Florida Statutes.

**II. Present Situation:**

Section 985.105, F.S., created the youth custody officer position within the Department of Juvenile Justice (DJJ). Youth custody officers were responsible for taking a youth into custody if the officer had probable cause to believe that the youth had:

- Violated the conditions of probation, home detention, conditional release, or postcommitment probation; or
- Failed to appear in court after being properly noticed.

These youth custody officers were also responsible for informing local law enforcement agencies when they took anyone into custody under this section.

Youth custody officers were required to meet the minimum qualifications for employment or appointment, become certified under ch. 943, F.S., and comply with the mandates for continued

employment as provided by s. 943.135, F.S.<sup>1</sup> Additionally, s. 121.0515, F.S., designated youth custody officers as a “special risk class” for purposes of the Florida Retirement System.<sup>2</sup>

The DJJ states that the department eliminated these youth custody officer positions on July 1, 2010, as a way to cut its budget.<sup>3</sup> The duties of the youth custody officers were either distributed among existing employees or were no longer performed by the DJJ.<sup>4</sup>

### **III. Effect of Proposed Changes:**

This bill repeals s. 985.105, F.S., which created youth custody officers within the DJJ. This section of law is no longer needed because these positions have been nonexistent since 2010. Likewise, the bill also deletes language in s. 121.0515, F.S., classifying these positions as special risk positions for purposes of state retirement.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

#### **B. Private Sector Impact:**

None.

#### **C. Government Sector Impact:**

According to the DJJ, there is no fiscal impact as a result of this bill.

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<sup>1</sup> Section 985.105(2), F.S.

<sup>2</sup> Section 121.0515, F.S., creates a “special risk class” of state employees for purposes of the Florida Retirement System that earn more retirement credit per year of service. This increased credit is in recognition that they may be unable to “enjoy the full career and retirement benefits enjoyed by other membership classes” as a result of the physically demanding and high risk functions required by their jobs.

<sup>3</sup> See the 2013 Agency Proposal, Juvenile Justice Reform, by the Department of Juvenile Justice, which is on file with the Senate Criminal Justice Committee.

<sup>4</sup> *Id.*

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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