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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/04/2013	.	
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	.	

The Committee on Criminal Justice (Evers) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Section 985.664, Florida Statutes, is amended to read:

985.664 Juvenile justice circuit advisory boards ~~and juvenile justice county councils.~~

(1) There is authorized a juvenile justice circuit advisory board to be established in each of the 20 judicial circuits ~~and a juvenile justice county council to be established in each of the 67 counties.~~ Except in single-county circuits, each juvenile



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13 justice circuit advisory board shall have a county organization
14 representing each of the counties in the circuit. The county
15 organization shall report directly to the juvenile justice
16 circuit advisory board on the juvenile justice needs of the
17 county. The purpose of each juvenile justice circuit advisory
18 ~~board and each juvenile justice county council~~ is to provide
19 advice and direction to the department in the development and
20 implementation of juvenile justice programs and to work
21 collaboratively with the department in seeking program
22 improvements and policy changes to address the emerging and
23 changing needs of Florida's youth who are at risk of
24 delinquency.

25 (2) The duties and responsibilities of a juvenile justice
26 circuit advisory board include, but are not limited to:

27 (a) Developing ~~Each juvenile justice county council shall~~
28 ~~develop a juvenile justice prevention and early intervention~~
29 ~~plan for the county and shall collaborate with the circuit board~~
30 ~~and other county councils assigned to that circuit in the~~
31 ~~development of a comprehensive plan for the circuit. The initial~~
32 circuit plan shall be submitted to the department no later than
33 December 31, 2014, and no later than June 30 every 3 years
34 thereafter. The department shall prescribe a format and content
35 requirements for the submission of the comprehensive plan.

36 (b) ~~(3)~~ Participating in the facilitation of Juvenile
37 ~~justice circuit boards and county councils shall also~~
38 ~~participate in facilitating~~ interagency cooperation and
39 information sharing.

40 (c) ~~(4)~~ Providing recommendations ~~Juvenile justice circuit~~
41 ~~boards and county councils may apply for and receive public or~~



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42 private grants to be administered by one of the community
43 partners that support one or more components of the
44 comprehensive county or circuit plan.

45 (d)(5) Providing recommendations to Juvenile justice
46 circuit boards and county councils shall advise and assist the
47 department in the evaluation and award of prevention and early
48 intervention grant programs, including the Community Juvenile
49 Justice Partnership Grant program established in s. 985.676 and
50 proceeds from the Invest in Children license plate annual use
51 fees.

52 (e)(6) Providing ~~Each juvenile justice circuit board shall~~
53 ~~provide~~ an annual report to the department describing the
54 board's activities of the circuit board and each of the county
55 ~~councils contained within its circuit.~~ The department shall ~~may~~
56 prescribe a format and content requirements for submission of
57 annual reports. The annual report must be submitted to the
58 department no later than August 1 of each year.

59 (3)(7) Each Membership of the juvenile justice circuit
60 advisory board shall have a minimum of 16 ~~may not exceed 18~~
61 ~~members, except as provided in subsections (8) and (9).~~ The
62 membership of each ~~Members must include the state attorney, the~~
63 ~~public defender, and the chief judge of the circuit, or their~~
64 ~~respective designees. The remaining 15 members of the board must~~
65 ~~be appointed by the county councils within that circuit. The~~
66 ~~board must include at least one representative from each county~~
67 ~~council within the circuit. In appointing members to the circuit~~
68 ~~board, the county councils must reflect:~~

69 (a) The circuit's geography and population distribution.

70 ~~(b) Juvenile justice partners, including, but not limited~~



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71 ~~to, representatives of law enforcement, the school system, and~~
72 ~~the Department of Children and Family Services.~~

73 (b) ~~(e)~~ Diversity in the judicial circuit.

74 ~~(8) At any time after the adoption of initial bylaws~~
75 ~~pursuant to subsection (12), a juvenile justice circuit board~~
76 ~~may revise the bylaws to increase the number of members by not~~
77 ~~more than three in order to adequately reflect the diversity of~~
78 ~~the population and community organizations or agencies in the~~
79 ~~circuit.~~

80 ~~(9) If county councils are not formed within a circuit, the~~
81 ~~circuit board may establish its membership in accordance with~~
82 ~~subsection (10). For juvenile justice circuit boards organized~~
83 ~~pursuant to this subsection, the state attorney, public~~
84 ~~defender, and chief circuit judge, or their respective~~
85 ~~designees, shall be members of the circuit board.~~

86 (4) ~~(10)~~ Each member of the juvenile justice circuit
87 advisory board must be approved by the secretary of the
88 department, except those members listed in paragraphs (a), (b),
89 (c), (e), (f), (g), and (h). Membership of The juvenile justice
90 county councils, or juvenile justice circuit advisory boards
91 established under subsection (1) must ~~(9)~~, may include as
92 members representatives from the following entities:

93 (a) The state attorney or his or her designee
94 ~~Representatives from the school district, which may include~~
95 ~~elected school board officials, the school superintendent,~~
96 ~~school or district administrators, teachers, and counselors.~~

97 (b) The public defender or his or her designee
98 ~~Representatives of the board of county commissioners.~~

99 (c) The chief judge or his or her designee ~~Representatives~~



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100 ~~of the governing bodies of local municipalities within the~~
101 ~~county.~~

102 (d) A representative of the corresponding circuit or
103 regional entity of the Department of Children and Families
104 ~~Family Services.~~

105 (e) ~~Representatives of local law enforcement agencies,~~
106 ~~including~~ The sheriff or the sheriff's designee from each county
107 in the circuit.

108 (f) A police chief or his or her designee from each county
109 in the circuit ~~Representatives of the judicial system.~~

110 (g) A county commissioner or his or her designee from each
111 county in the circuit.

112 (h) The superintendent of each school district in the
113 circuit or his or her designee.

114 (i) A representative from the workforce organization of
115 each county in the circuit.

116 (j) ~~(g)~~ A representative ~~Representatives~~ of the business
117 community.

118 (k) A youth representative who has had an experience with
119 the juvenile justice system and is not older than 21 years of
120 age.

121 ~~(h) Representatives of other interested officials, groups,~~
122 ~~or entities, including, but not limited to, a children's~~
123 ~~services council, public or private providers of juvenile~~
124 ~~justice programs and services, students, parents, and advocates.~~
125 ~~Private providers of juvenile justice programs may not exceed~~
126 ~~one-third of the voting membership.~~

127 (l) ~~(i)~~ A representative ~~representatives~~ of the faith
128 community.



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129 (m) ~~(j)~~ A health services representative who specializes in
130 mental health care, Representatives of victim-service programs,
131 or ~~and~~ victims of crimes.

132 ~~(k) Representatives of the Department of Corrections.~~

133 (n) A parent or family member of a youth who has been
134 involved with the juvenile justice system.

135 (o) Up to five representatives from any of the following
136 who are not otherwise represented in this subsection:

137 1. Community leaders.

138 2. Youth-serving coalitions.

139 (5) The secretary of the department, in consultation with
140 the board, shall appoint the chair of the board, who must meet
141 the board membership requirements in subsection (4). Within 45
142 days after being appointed, the chair shall appoint the
143 remaining members to the board and submit the appointments to
144 the department for approval.

145 (6) A member may not serve more than two consecutive 2-year
146 terms, except those members listed in paragraphs (4) (a), (b),
147 (c), (e), (f), (g), and (h). A former member who has not served
148 on the juvenile justice circuit advisory board for 2 years is
149 eligible to serve on the juvenile justice circuit advisory board
150 again.

151 (7) At least half of the voting members of the juvenile
152 justice circuit advisory board constitutes a quorum.

153 (8) In order for a juvenile justice circuit advisory board
154 measure or position to pass, it must receive more than 50
155 percent of the vote.

156 (9) ~~(11)~~ Each juvenile justice county council, or juvenile
157 justice circuit advisory board established under subsection (9),



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158 must provide for the establishment of an executive committee of
159 not more than 10 members. The duties and authority of the
160 executive committee must be addressed in the bylaws.

161 ~~(10)-(12)~~ Each juvenile justice circuit advisory board ~~and~~
162 ~~county council~~ shall have develop bylaws ~~that provide for~~
163 ~~officers and committees as the board or council deems necessary~~
164 ~~and shall specify the qualifications, method of selection, and~~
165 ~~term for each office created.~~ The department shall prescribe a
166 format and content requirements for the bylaws. All bylaws must
167 be approved by the department. The bylaws shall address at least
168 the following issues: ~~process for appointments to the board or~~
169 ~~council;~~ election or appointment of officers; filling of vacant
170 positions; ~~duration of member terms;~~ ~~provisions for voting;~~
171 meeting attendance requirements; and the establishment and
172 duties of an executive committee, ~~if required under subsection~~
173 ~~(11)~~.

174 ~~(11)-(13)~~ Members of juvenile justice circuit advisory
175 boards ~~and county councils~~ are subject to ~~the provisions of part~~
176 III of chapter 112.

177 Section 2. Paragraph (c) of subsection (4) of section
178 790.22, Florida Statutes, is amended to read:

179 790.22 Use of BB guns, air or gas-operated guns, or
180 electric weapons or devices by minor under 16; limitation;
181 possession of firearms by minor under 18 prohibited; penalties.-

182 (4)

183 (c) The juvenile justice circuit advisory boards ~~or~~
184 ~~juvenile justice county councils~~ or the Department of Juvenile
185 Justice shall establish appropriate community service programs
186 to be available to the alternative sanctions coordinators of the



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187 circuit courts in implementing this subsection. The boards ~~or~~
188 ~~councils~~ or department shall propose the implementation of a
189 community service program in each circuit, and may submit a
190 circuit plan, to be implemented upon approval of the circuit
191 alternative sanctions coordinator.

192 Section 3. Subsection (4) of section 938.17, Florida
193 Statutes, is amended to read:

194 938.17 County delinquency prevention; juvenile assessment
195 centers and school board suspension programs.—

196 (4) A sheriff's office that receives proceeds pursuant to
197 s. 939.185 shall account for all funds annually by August 1 in a
198 written report to the juvenile justice circuit advisory board
199 ~~county council~~ if funds are used for assessment centers, and to
200 the district school board if funds are used for suspension
201 programs.

202 Section 4. Subsection (2) of section 948.51, Florida
203 Statutes, is amended to read:

204 948.51 Community corrections assistance to counties or
205 county consortiums.—

206 (2) ELIGIBILITY OF COUNTIES AND COUNTY CONSORTIUMS.—A
207 county, or a consortium of two or more counties, may contract
208 with the Department of Corrections for community corrections
209 funds as provided in this section. In order to enter into a
210 community corrections partnership contract, a county or county
211 consortium must have a public safety coordinating council
212 established under s. 951.26 and must designate a county officer
213 or agency to be responsible for administering community
214 corrections funds received from the state. The public safety
215 coordinating council shall prepare, develop, and implement a



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216 comprehensive public safety plan for the county, or the
217 geographic area represented by the county consortium, and shall
218 submit an annual report to the Department of Corrections
219 concerning the status of the program. In preparing the
220 comprehensive public safety plan, the public safety coordinating
221 council shall cooperate with the juvenile justice circuit
222 advisory board and the juvenile justice county council,
223 established under s. 985.664~~7~~, in order to include programs and
224 services for juveniles in the plan. To be eligible for community
225 corrections funds under the contract, the initial public safety
226 plan must be approved by the governing board of the county, or
227 the governing board of each county within the consortium, and
228 the Secretary of Corrections based on the requirements of this
229 section. If one or more other counties develop a unified public
230 safety plan, the public safety coordinating council shall submit
231 a single application to the department for funding. Continued
232 contract funding shall be pursuant to subsection (5). The plan
233 for a county or county consortium must cover at least a 5-year
234 period and must include:

235 (a) A description of programs offered for the job placement
236 and treatment of offenders in the community.

237 (b) A specification of community-based intermediate
238 sentencing options to be offered and the types and number of
239 offenders to be included in each program.

240 (c) Specific goals and objectives for reducing the
241 projected percentage of commitments to the state prison system
242 of persons with low total sentencing scores pursuant to the
243 Criminal Punishment Code.

244 (d) Specific evidence of the population status of all



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245 programs which are part of the plan, which evidence establishes
246 that such programs do not include offenders who otherwise would
247 have been on a less intensive form of community supervision.

248 (e) The assessment of population status by the public
249 safety coordinating council of all correctional facilities owned
250 or contracted for by the county or by each county within the
251 consortium.

252 (f) The assessment of bed space that is available for
253 substance abuse intervention and treatment programs and the
254 assessment of offenders in need of treatment who are committed
255 to each correctional facility owned or contracted for by the
256 county or by each county within the consortium.

257 (g) A description of program costs and sources of funds for
258 each community corrections program, including community
259 corrections funds, loans, state assistance, and other financial
260 assistance.

261 Section 5. Subsection (13) of section 985.48, Florida
262 Statutes, is amended to read:

263 985.48 Juvenile sexual offender commitment programs; sexual
264 abuse intervention networks.—

265 (13) Subject to specific appropriation, availability of
266 funds, or receipt of appropriate grant funds, the Office of the
267 Attorney General, the Department of Children and Families ~~Family~~
268 ~~Services~~, or the Department of Juvenile Justice, ~~or local~~
269 ~~juvenile justice councils~~ shall award grants to sexual abuse
270 intervention networks that apply for such grants. The grants may
271 be used for training, treatment, conditional release,
272 evaluation, public awareness, and other specified community
273 needs that are identified by the network. A grant shall be



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274 awarded based on the applicant's level of local funding, level
275 of collaboration, number of juvenile sexual offenders to be
276 served, number of victims to be served, and level of unmet
277 needs.

278 Section 6. Paragraph (a) of subsection (1) and paragraphs
279 (b) and (e) of subsection (2) of section 985.676, Florida
280 Statutes, are amended to read:

281 985.676 Community juvenile justice partnership grants.—

282 (1) GRANTS; CRITERIA.—

283 (a) In order to encourage the development of a ~~county and~~
284 circuit juvenile justice plan ~~plans~~ and the development and
285 implementation of ~~county and~~ circuit interagency agreements
286 under s. 985.664, the community juvenile justice partnership
287 grant program is established and shall be administered by the
288 department.

289 (2) GRANT APPLICATION PROCEDURES.—

290 (b) The department shall consider ~~the following in awarding~~
291 ~~such grants:~~

292 ~~1. The recommendations of the juvenile justice county~~
293 ~~council as to the priority that should be given to proposals~~
294 ~~submitted by entities within a county.~~

295 ~~2. the recommendations of the juvenile justice circuit~~
296 advisory board as to the priority that should be given to
297 proposals submitted by entities within a circuit in awarding
298 such grants.

299 (e) Each entity that is awarded a grant as provided for in
300 this section shall submit an annual evaluation report to the
301 department, the circuit juvenile justice manager, and the
302 juvenile justice circuit advisory board, ~~and the juvenile~~



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303 ~~justice county council~~, by a date subsequent to the end of the
304 contract period established by the department, documenting the
305 extent to which the program objectives have been met, the effect
306 of the program on the juvenile arrest rate, and any other
307 information required by the department. The department shall
308 coordinate and incorporate all such annual evaluation reports
309 with s. 985.632. Each entity is also subject to a financial
310 audit and a performance audit.

311 Section 7. This act shall take effect October 1, 2013.

312

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

314 And the title is amended as follows:

315 Delete everything before the enacting clause
316 and insert:

317 A bill to be entitled
318 An act relating to juvenile justice circuit advisory
319 boards and juvenile justice county councils; amending
320 s. 985.664, F.S.; redesignating juvenile justice
321 circuit boards as juvenile justice circuit advisory
322 boards; requiring each board to have a county
323 organization representing each county in the circuit;
324 providing an exception for single-county circuits;
325 deleting provisions providing for juvenile justice
326 county councils; revising provisions relating to
327 duties and responsibilities of boards; requiring
328 submission of circuit plans by specified dates;
329 revising membership of boards; providing for
330 appointment and terms of members; providing for
331 quorums and for passage of measures or positions;



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332 revising provisions relating to bylaws; amending ss.
333 790.22, 938.17, 948.51, 985.48, and 985.676, F.S.;
334 conforming provisions to changes made by the act;
335 providing an effective date.