

**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.)

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

BILL: CS/SB 676

INTRODUCER: Criminal Justice Committee and Senator Evers

SUBJECT: Juvenile Justice Circuit Advisory Boards

DATE: March 5, 2013                      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Dugger	Cannon	CJ	Fav/CS
2.			JU	
3.			ACJ	
4.			AP	
5.				
6.				

**Please see Section VIII. for Additional Information:**

- |                              |                                     |   |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes        |
| B. AMENDMENTS.....           | <input type="checkbox"/>            | Technical amendments were recommended   |
|                              | <input type="checkbox"/>            | Amendments were recommended             |
|                              | <input type="checkbox"/>            | Significant amendments were recommended |

**I. Summary:**

CS/SB 676 amends s. 985.664, F.S., in several ways. It eliminates the statutory authority for the formation of juvenile justice county councils. In lieu of county councils, the bill requires that each juvenile justice circuit board have a “county organization representing each of the counties within the circuit.” The juvenile justice circuit boards will be renamed the juvenile justice circuit “advisory” boards. Finally, the Department of Juvenile Justice (DJJ) will be given authority over the advisory boards by being required to approve certain members of the board and the board’s bylaws, as well as appointing the chairman in consultation with the board.

This bill substantially amends section 985.664 and makes conforming changes to sections 790.22, 938.17, 948.51, 985.48, and 985.676 of the Florida Statutes.

## II. Present Situation:

Section 985.664, F.S., authorizes the creation of 20 juvenile justice circuit boards, one in each judicial circuit, as well as 67 juvenile justice county councils, one in each of the 67 counties.<sup>1</sup> The purpose of these boards and councils is to provide advice to the DJJ in developing and implementing juvenile justice programs by working collaboratively with the DJJ to improve programs and recommend necessary policy changes. The county councils are tasked with working with the circuit boards in the development of a comprehensive plan for the circuit. The circuit boards are required to submit an annual report to the DJJ, describing the activities of both the board and the county councils.<sup>2</sup> Other duties include facilitating interagency cooperation and information sharing as well as applying for and receiving public or private juvenile justice grants.<sup>3</sup>

The prescribed size of the circuit boards is as follows: no more than 18 members, except if it is necessary to increase the number of members by three to adequately reflect the diversity of the community.<sup>4</sup> Required membership includes the state attorney, the public defender, and the chief circuit judge.<sup>5</sup> The other 15 members, who must be appointed by the county councils, may include representatives from the following entities:

- School districts;
- County commissioners;
- Governing bodies of local municipalities;
- Department of Children and Family Services (DCF);
- Local law enforcement agencies, including the sheriff;
- Judicial system;
- Business community;
- Other interested officials, including public or private providers, students, parents, and advocates;
- Faith community;
- Victim-service programs; and
- Department of Corrections (DOC).<sup>6</sup>

Each of the circuit boards and county councils must also develop bylaws to be governed by, including the process for appointments to the board or council, election or appointment of officers, filling vacant positions, duration of member terms, provisions for voting, meeting attendance requirements, and establishment and duties of the executive committee. Each council and board must have an executive committee comprised of not more than ten members.<sup>7</sup>

---

<sup>1</sup> According to the DJJ, there are currently 20 circuit boards and 44 county councils that are active across the state. See Department of Juvenile Justice, 2013 Legislative Session Bill Analysis for SB 676, on file with the Senate Criminal Justice Committee.

<sup>2</sup> Section 985.664(1)-(6), F.S.

<sup>3</sup> Section 985.664(2)-(5), F.S.

<sup>4</sup> Section 985.664(7), (8), F.S.

<sup>5</sup> Section 985.664(7), F.S.

<sup>6</sup> Section 985.664(10), F.S.

<sup>7</sup> Section 985.664(11), F.S.

### III. Effect of Proposed Changes:

This bill amends s. 985.664, F.S., by eliminating the statutory authority for juvenile justice county councils. In lieu of county councils, the bill requires that each juvenile justice circuit board have a “county organization representing each of the counties within the circuit” (except if it is a single county circuit). These county organizations are required to report directly to the circuit board on the juvenile justice needs of a county.

The juvenile justice circuit boards will be renamed the juvenile justice circuit “advisory” boards. They will be responsible for developing a comprehensive plan for the circuit, with the initial circuit plan being submitted to the DJJ no later than December 31, 2014, and after that, by June 30th every three years. They will continue to meet their other statutory duties including participating in the facilitation of interagency cooperation and information sharing as well as providing recommendations for juvenile justice grants. The required annual report must be submitted to the DJJ by August 1st of each year.

The size of the circuit advisory boards will change from having no more than 18 members to having at least 16 members. All prescribed members become mandatory under the bill. (Currently only the state attorney, public defender, and chief circuit judge are mandatory members.)

The DJJ will be given authority over the circuit advisory boards by being required to approve certain members of the board and the board’s bylaws, as well as appointing the chairman in consultation with the board.

Advisory board members requiring departmental approval will include representatives from the following entities:

- A workforce organization;
- The business community;
- The faith community;
- A mental health or victim-service program;
- A youth under 21 years of age who has juvenile justice experience;
- A parent or family member of a youth involved in the juvenile justice system; and
- Up to five additional members representing community leaders or a youth-serving coalition.

The workforce representative, the youth involved in the system and his or her parent are not currently specified in s. 985.664, F.S. The bill also deletes the DOC representative as a member of a board.

Advisory board members not requiring departmental approval are as follows:

- State attorney;
- Public defender;
- Chief circuit judge;
- Sheriff;

- Police chief;
- County commissioner; and
- School superintendent.

Finally, the bill provides new language prescribing that a member of an advisory board may not serve more than two consecutive 2-year terms, with the exception of the state attorney, public defender, chief circuit judge, sheriff, police chief, county commissioner, and superintendent. In addition, a former member who has not served on the board for two years is eligible to serve another term and half of the board's membership constitutes a quorum under the bill.

#### **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:**

None.

#### **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.)

**CS by Criminal Justice on March 4, 2013:**

Makes technical and conforming changes to several other sections of law that are affected by the bill.

- B. **Amendments:**

None.