

By the Committee on Criminal Justice; and Senator Evers

591-01874-13

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1 A bill to be entitled
2 An act relating to juvenile justice circuit advisory
3 boards and juvenile justice county councils; amending
4 s. 985.664, F.S.; redesignating juvenile justice
5 circuit boards as juvenile justice circuit advisory
6 boards; requiring each board to have a county
7 organization representing each county in the circuit;
8 providing an exception for single-county circuits;
9 deleting provisions providing for juvenile justice
10 county councils; revising provisions relating to
11 duties and responsibilities of boards; requiring
12 submission of circuit plans by specified dates;
13 revising membership of boards; providing for
14 appointment and terms of members; providing for
15 quorums and for passage of measures or positions;
16 revising provisions relating to bylaws; amending ss.
17 790.22, 938.17, 948.51, 985.48, and 985.676, F.S.;
18 conforming provisions to changes made by the act;
19 providing an effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

22
23 Section 1. Section 985.664, Florida Statutes, is amended to
24 read:

25 985.664 Juvenile justice circuit advisory boards ~~and~~
26 ~~juvenile justice county councils.~~

27 (1) There is authorized a juvenile justice circuit advisory
28 board to be established in each of the 20 judicial circuits ~~and~~
29 ~~a juvenile justice county council to be established in each of~~

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30 ~~the 67 counties.~~ Except in single-county circuits, each juvenile
31 justice circuit advisory board shall have a county organization
32 representing each of the counties in the circuit. The county
33 organization shall report directly to the juvenile justice
34 circuit advisory board on the juvenile justice needs of the
35 county. The purpose of each juvenile justice circuit advisory
36 ~~board and each juvenile justice county council~~ is to provide
37 advice and direction to the department in the development and
38 implementation of juvenile justice programs and to work
39 collaboratively with the department in seeking program
40 improvements and policy changes to address the emerging and
41 changing needs of Florida's youth who are at risk of
42 delinquency.

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

45 (a) Developing ~~Each juvenile justice county council shall~~
46 ~~develop a juvenile justice prevention and early intervention~~
47 ~~plan for the county and shall collaborate with the circuit board~~
48 ~~and other county councils assigned to that circuit in the~~
49 ~~development of a comprehensive plan for the circuit. The initial~~
50 circuit plan shall be submitted to the department no later than
51 December 31, 2014, and no later than June 30 every 3 years
52 thereafter. The department shall prescribe a format and content
53 requirements for the submission of the comprehensive plan.

54 (b) ~~(3)~~ Participating in the facilitation of Juvenile
55 ~~justice circuit boards and county councils shall also~~
56 ~~participate in facilitating~~ interagency cooperation and
57 information sharing.

58 (c) ~~(4)~~ Providing recommendations ~~Juvenile justice circuit~~

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59 ~~boards and county councils may apply for and receive public or~~
60 ~~private grants to be administered by one of the community~~
61 ~~partners that support one or more components of the~~
62 comprehensive county or circuit plan.

63 (d) (5) Providing recommendations to Juvenile justice
64 ~~circuit boards and county councils shall advise and assist the~~
65 ~~department in the evaluation and award of prevention and early~~
66 ~~intervention grant programs, including the Community Juvenile~~
67 ~~Justice Partnership Grant program established in s. 985.676 and~~
68 ~~proceeds from the Invest in Children license plate annual use~~
69 ~~fees.~~

70 (e) (6) Providing ~~Each juvenile justice circuit board shall~~
71 ~~provide an annual report to the department describing the~~
72 board's activities of the circuit board and each of the county
73 ~~councils contained within its circuit. The department shall~~ may
74 ~~prescribe a format and content requirements for submission of~~
75 ~~annual reports. The annual report must be submitted to the~~
76 department no later than August 1 of each year.

77 (3) (7) Each Membership of the juvenile justice circuit
78 advisory board shall have a minimum of 16 ~~may not exceed 18~~
79 ~~members, except as provided in subsections (8) and (9). The~~
80 membership of each ~~Members must include the state attorney, the~~
81 ~~public defender, and the chief judge of the circuit, or their~~
82 ~~respective designees. The remaining 15 members of the board must~~
83 ~~be appointed by the county councils within that circuit. The~~
84 ~~board must include at least one representative from each county~~
85 ~~council within the circuit. In appointing members to the circuit~~
86 ~~board, the county councils must reflect:~~

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

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88 ~~(b) Juvenile justice partners, including, but not limited~~
89 ~~to, representatives of law enforcement, the school system, and~~
90 ~~the Department of Children and Family Services.~~

91 (b)(e) Diversity in the judicial circuit.

92 ~~(8) At any time after the adoption of initial bylaws~~
93 ~~pursuant to subsection (12), a juvenile justice circuit board~~
94 ~~may revise the bylaws to increase the number of members by not~~
95 ~~more than three in order to adequately reflect the diversity of~~
96 ~~the population and community organizations or agencies in the~~
97 ~~circuit.~~

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

104 (4)(10) Each member of the juvenile justice circuit
105 advisory board must be approved by the secretary of the
106 department, except those members listed in paragraphs (a), (b),
107 (c), (e), (f), (g), and (h). Membership of The juvenile justice
108 county councils, or juvenile justice circuit advisory boards
109 established under subsection (1) must (9), may include as
110 members representatives from the following entities:

111 (a) The state attorney or his or her designee
112 ~~Representatives from the school district, which may include~~
113 ~~elected school board officials, the school superintendent,~~
114 ~~school or district administrators, teachers, and counselors.~~

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

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117 (c) The chief judge or his or her designee ~~Representatives~~
118 ~~of the governing bodies of local municipalities within the~~
119 ~~county.~~

120 (d) A representative of the corresponding circuit or
121 regional entity of the Department of Children and Families
122 ~~Family Services.~~

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

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

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

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

132 (i) A representative from the workforce organization of
133 each county in the circuit.

134 ~~(j)~~ (g) A representative ~~Representatives~~ of the business
135 community.

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

139 ~~(h) Representatives of other interested officials, groups,~~
140 ~~or entities, including, but not limited to, a children's~~
141 ~~services council, public or private providers of juvenile~~
142 ~~justice programs and services, students, parents, and advocates.~~
143 ~~Private providers of juvenile justice programs may not exceed~~
144 ~~one-third of the voting membership.~~

145 ~~(l)~~ ~~(i)~~ A representative ~~representatives~~ of the faith

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146 community.

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

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

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

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

155 1. Community leaders.

156 2. Youth-serving coalitions.

157 (5) The secretary of the department, in consultation with
158 the board, shall appoint the chair of the board, who must meet
159 the board membership requirements in subsection (4). Within 45
160 days after being appointed, the chair shall appoint the
161 remaining members to the board and submit the appointments to
162 the department for approval.

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

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

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

174 (9) ~~(11)~~ Each juvenile justice county council, or juvenile

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175 justice circuit advisory board ~~established under subsection (9),~~
176 must provide for the establishment of an executive committee of
177 not more than 10 members. The duties and authority of the
178 executive committee must be addressed in the bylaws.

179 ~~(10)(12)~~ Each juvenile justice circuit advisory board ~~and~~
180 ~~county council~~ shall have develop bylaws ~~that provide for~~
181 ~~officers and committees as the board or council deems necessary~~
182 ~~and shall specify the qualifications, method of selection, and~~
183 ~~term for each office created.~~ The department shall prescribe a
184 format and content requirements for the bylaws. All bylaws must
185 be approved by the department. The bylaws shall address at least
186 the following issues: ~~process for appointments to the board or~~
187 ~~council;~~ election or appointment of officers; filling of vacant
188 positions; ~~duration of member terms; provisions for voting;~~
189 meeting attendance requirements; and the establishment and
190 duties of an executive committee, ~~if required under subsection~~
191 ~~(11)~~.

192 ~~(11)(13)~~ Members of juvenile justice circuit advisory
193 ~~boards and county councils~~ are subject to the ~~provisions of part~~
194 III of chapter 112.

195 Section 2. Paragraph (c) of subsection (4) of section
196 790.22, Florida Statutes, is amended to read:

197 790.22 Use of BB guns, air or gas-operated guns, or
198 electric weapons or devices by minor under 16; limitation;
199 possession of firearms by minor under 18 prohibited; penalties.-

200 (4)

201 (c) The juvenile justice circuit advisory boards ~~or~~
202 ~~juvenile justice county councils~~ or the Department of Juvenile
203 Justice shall establish appropriate community service programs

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204 to be available to the alternative sanctions coordinators of the
205 circuit courts in implementing this subsection. The boards ~~or~~
206 ~~councils~~ or department shall propose the implementation of a
207 community service program in each circuit, and may submit a
208 circuit plan, to be implemented upon approval of the circuit
209 alternative sanctions coordinator.

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

212 938.17 County delinquency prevention; juvenile assessment
213 centers and school board suspension programs.—

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

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

222 948.51 Community corrections assistance to counties or
223 county consortiums.—

224 (2) ELIGIBILITY OF COUNTIES AND COUNTY CONSORTIUMS.—A
225 county, or a consortium of two or more counties, may contract
226 with the Department of Corrections for community corrections
227 funds as provided in this section. In order to enter into a
228 community corrections partnership contract, a county or county
229 consortium must have a public safety coordinating council
230 established under s. 951.26 and must designate a county officer
231 or agency to be responsible for administering community
232 corrections funds received from the state. The public safety

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233 coordinating council shall prepare, develop, and implement a
234 comprehensive public safety plan for the county, or the
235 geographic area represented by the county consortium, and shall
236 submit an annual report to the Department of Corrections
237 concerning the status of the program. In preparing the
238 comprehensive public safety plan, the public safety coordinating
239 council shall cooperate with the juvenile justice circuit
240 advisory board and ~~the juvenile justice county council,~~
241 established under s. 985.664~~r~~, in order to include programs and
242 services for juveniles in the plan. To be eligible for community
243 corrections funds under the contract, the initial public safety
244 plan must be approved by the governing board of the county, or
245 the governing board of each county within the consortium, and
246 the Secretary of Corrections based on the requirements of this
247 section. If one or more other counties develop a unified public
248 safety plan, the public safety coordinating council shall submit
249 a single application to the department for funding. Continued
250 contract funding shall be pursuant to subsection (5). The plan
251 for a county or county consortium must cover at least a 5-year
252 period and must include:

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

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

258 (c) Specific goals and objectives for reducing the
259 projected percentage of commitments to the state prison system
260 of persons with low total sentencing scores pursuant to the
261 Criminal Punishment Code.

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262 (d) Specific evidence of the population status of all
263 programs which are part of the plan, which evidence establishes
264 that such programs do not include offenders who otherwise would
265 have been on a less intensive form of community supervision.

266 (e) The assessment of population status by the public
267 safety coordinating council of all correctional facilities owned
268 or contracted for by the county or by each county within the
269 consortium.

270 (f) The assessment of bed space that is available for
271 substance abuse intervention and treatment programs and the
272 assessment of offenders in need of treatment who are committed
273 to each correctional facility owned or contracted for by the
274 county or by each county within the consortium.

275 (g) A description of program costs and sources of funds for
276 each community corrections program, including community
277 corrections funds, loans, state assistance, and other financial
278 assistance.

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

281 985.48 Juvenile sexual offender commitment programs; sexual
282 abuse intervention networks.—

283 (13) Subject to specific appropriation, availability of
284 funds, or receipt of appropriate grant funds, the Office of the
285 Attorney General, the Department of Children and Families ~~Family~~
286 Services, or the Department of Juvenile Justice, ~~or local~~
287 ~~juvenile justice councils~~ shall award grants to sexual abuse
288 intervention networks that apply for such grants. The grants may
289 be used for training, treatment, conditional release,
290 evaluation, public awareness, and other specified community

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291 needs that are identified by the network. A grant shall be
292 awarded based on the applicant's level of local funding, level
293 of collaboration, number of juvenile sexual offenders to be
294 served, number of victims to be served, and level of unmet
295 needs.

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

299 985.676 Community juvenile justice partnership grants.—

300 (1) GRANTS; CRITERIA.—

301 (a) In order to encourage the development of a ~~county and~~
302 circuit juvenile justice plan ~~plans~~ and the development and
303 implementation of ~~county and~~ circuit interagency agreements
304 under s. 985.664, the community juvenile justice partnership
305 grant program is established and shall be administered by the
306 department.

307 (2) GRANT APPLICATION PROCEDURES.—

308 (b) The department shall consider ~~the following in awarding~~
309 ~~such grants:~~

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

313 ~~2.~~ the recommendations of the juvenile justice circuit
314 advisory board as to the priority that should be given to
315 proposals submitted by entities within a circuit in awarding
316 such grants.

317 (e) Each entity that is awarded a grant as provided for in
318 this section shall submit an annual evaluation report to the
319 department, the circuit juvenile justice manager, and the

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320 juvenile justice circuit advisory board, ~~and the juvenile~~
321 ~~justice county council~~, by a date subsequent to the end of the
322 contract period established by the department, documenting the
323 extent to which the program objectives have been met, the effect
324 of the program on the juvenile arrest rate, and any other
325 information required by the department. The department shall
326 coordinate and incorporate all such annual evaluation reports
327 with s. 985.632. Each entity is also subject to a financial
328 audit and a performance audit.

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