

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Justice Appropriations
2 Subcommittee

3 Representative Grant, J. offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (3) of section 382.0255, Florida

8 Statutes, is amended to read:

9 382.0255 Fees.—

10 (3) Fees shall be established by rule. However, until
11 rules are adopted, the fees assessed pursuant to this section
12 shall be the minimum fees cited. The fees established by rule
13 must be sufficient to meet the cost of providing the service.
14 All fees shall be paid by the person requesting the record, are
15 due and payable at the time services are requested, and are
16 nonrefundable, except that, when a search is conducted and no

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17 vital record is found, any fees paid for additional certified
18 copies shall be refunded. The department may waive all or part
19 of the fees required under this section for any government
20 entity. The department shall waive all fees required under this
21 section for a certified copy of a birth certificate issued for
22 purposes of an inmate acquiring a state identification card
23 before release pursuant to s. 944.605(7) and for a juvenile
24 offender who is in the custody or under the supervision of the
25 Department of Juvenile Justice and receiving services under s.
26 985.461.

27 Section 2. Subsection (1) of section 985.25, Florida
28 Statutes, is amended to read:

29 985.25 Detention intake.—

30 (1) The department shall receive custody of a child who
31 has been taken into custody from the law enforcement agency or
32 court and shall review the facts in the law enforcement report
33 or probable cause affidavit and make such further inquiry as may
34 be necessary to determine whether detention care is appropriate.

35 (a) During the period of time from the taking of the child
36 into custody to the date of the detention hearing, the initial
37 decision as to the child's placement into ~~secure or nonsecure~~
38 detention care shall be made by the department under ss. 985.24
39 and 985.245(1).

40 (b) The department shall base the decision whether to
41 place the child into ~~secure or nonsecure~~ detention care on an

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42 assessment of risk in accordance with the risk assessment
43 instrument and procedures developed by the department under s.
44 985.245, except that. ~~However,~~ a child shall be placed in secure
45 detention care until the child's detention hearing if the child
46 meets the criteria specified in s. 985.255(1)(j), is charged
47 with possessing or discharging a firearm on school property in
48 violation of s. 790.115, or ~~shall be placed in secure detention~~
49 ~~care. A child who~~ has been taken into custody on three or more
50 separate occasions within a 60-day period ~~shall be placed in~~
51 ~~secure detention care until the child's detention hearing.~~

52 (c) If the final score on the child's risk assessment
53 instrument indicates detention care is appropriate, but the
54 department otherwise determines the child should be released,
55 the department shall contact the state attorney, who may
56 authorize release.

57 (d) If the final score on the risk assessment instrument
58 indicates detention is not appropriate, the child may be
59 released by the department in accordance with ss. 985.115 and
60 985.13.

61
62 Under no circumstances shall the department or the state
63 attorney or law enforcement officer authorize the detention of
64 any child in a jail or other facility intended or used for the
65 detention of adults, without an order of the court.

66 Section 3. Subsections (1) and (3) of section 985.255,

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67 Florida Statutes, are amended to read:

68 985.255 Detention criteria; detention hearing.—

69 (1) Subject to s. 985.25(1), a child taken into custody
70 and placed into ~~secure or nonsecure~~ detention care shall be
71 given a hearing within 24 hours after being taken into custody.
72 At the hearing, the court may order continued detention if:

73 (a) The child is alleged to be an escapee from a
74 residential commitment program; or an absconder from a
75 nonresidential commitment program, a probation program, or
76 conditional release supervision; or is alleged to have escaped
77 while being lawfully transported to or from a residential
78 commitment program.

79 (b) The child is wanted in another jurisdiction for an
80 offense which, if committed by an adult, would be a felony.

81 (c) The child is charged with a delinquent act or
82 violation of law and requests in writing through legal counsel
83 to be detained for protection from an imminent physical threat
84 to his or her personal safety.

85 (d) The child is charged with committing an offense of
86 domestic violence as defined in s. 741.28 and is detained as
87 provided in subsection (2).

88 (e) The child is charged with possession of or discharging
89 a firearm on school property in violation of s. 790.115 or the
90 illegal possession of a firearm.

91 (f) The child is charged with a capital felony, a life

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92 felony, a felony of the first degree, a felony of the second
93 degree that does not involve a violation of chapter 893, or a
94 felony of the third degree that is also a crime of violence,
95 including any such offense involving the use or possession of a
96 firearm.

97 (g) The child is charged with any second degree or third
98 degree felony involving a violation of chapter 893 or any third
99 degree felony that is not also a crime of violence, and the
100 child:

- 101 1. Has a record of failure to appear at court hearings
102 after being properly notified in accordance with the Rules of
103 Juvenile Procedure;
- 104 2. Has a record of law violations prior to court hearings;
- 105 3. Has already been detained or has been released and is
106 awaiting final disposition of the case;
- 107 4. Has a record of violent conduct resulting in physical
108 injury to others; or
- 109 5. Is found to have been in possession of a firearm.

110 (h) The child is alleged to have violated the conditions
111 of the child's probation or conditional release supervision.
112 However, a child detained under this paragraph may be held only
113 in a consequence unit as provided in s. 985.439. If a
114 consequence unit is not available, the child shall be placed on
115 nonsecure detention with electronic monitoring.

116 (i) The child is detained on a judicial order for failure

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117 to appear and has previously willfully failed to appear, after
118 proper notice:

119 1. For an adjudicatory hearing on the same case regardless
120 of the results of the risk assessment instrument; or

121 2. At two or more court hearings of any nature on the same
122 case regardless of the results of the risk assessment
123 instrument.

124

125 A child may be held in secure detention for up to 72 hours in
126 advance of the next scheduled court hearing pursuant to this
127 paragraph. The child's failure to keep the clerk of court and
128 defense counsel informed of a current and valid mailing address
129 where the child will receive notice to appear at court
130 proceedings does not provide an adequate ground for excusal of
131 the child's nonappearance at the hearings.

132 (j) The child is a prolific juvenile offender. A child is
133 a prolific juvenile offender if the child:

134 1. Is charged with a delinquent act that would be a felony
135 if committed by an adult;

136 2. Has been adjudicated or had adjudication withheld for a
137 felony offense, or delinquent act that would be a felony if
138 committed by an adult, before the charge under subparagraph 1.;
139 and

140 3. In addition to meeting the requirements of
141 subparagraphs 1. and 2., has 5 or more of any of the following,

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142 at least 3 of which must have been for felony offenses or
143 delinquent acts that would have been felonies if committed by an
144 adult:

145 a. An arrest event for which a disposition, as defined in
146 s. 985.26, has not been entered;

147 b. An adjudication; or

148 c. An adjudication withheld.

149
150 As used in this subparagraph, the term "arrest event" means an
151 arrest or referral for one or more criminal offenses or
152 delinquent acts arising out of the same episode, act, or
153 transaction.

154 (3) (a) The purpose of the detention hearing required under
155 subsection (1) is to determine the existence of probable cause
156 that the child has committed the delinquent act or violation of
157 law that he or she is charged with and the need for continued
158 detention. Unless a child is detained under paragraph (1) (d) or
159 paragraph (1) (e), the court shall use the results of the risk
160 assessment performed by the department and, based on the
161 criteria in subsection (1), shall determine the need for
162 continued detention. If a child is a prolific juvenile offender
163 who is detained under s. 985.26(2)(c), the court shall use the
164 results of the risk assessment performed by the department and
165 the criteria in subsection (1) or subsection (2) only to
166 determine whether the prolific juvenile offender should be held

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167 in secure detention.

168 (c) Except as provided in s. 790.22(8) or ~~in~~ s. 985.27,
169 when a child is placed into ~~secure or nonsecure~~ detention care,
170 or into a respite home or other placement pursuant to a court
171 order following a hearing, the court order must include specific
172 instructions that direct the release of the child from such
173 placement no later than 5 p.m. on the last day of the detention
174 period specified in s. 985.26 or s. 985.27, whichever is
175 applicable, unless the requirements of such applicable provision
176 have been met or an order of continuance has been granted under
177 s. 985.26(4). If the court order does not include a release
178 date, the release date shall be requested from the court on the
179 same date that the child is placed in detention care. If a
180 subsequent hearing is needed to provide additional information
181 to the court for safety planning, the initial order placing the
182 child in detention care shall reflect the next detention review
183 hearing, which shall be held within 3 calendar days after the
184 child's initial detention placement.

185 Section 4. Subsections (1) through (4) of section 985.26,
186 Florida Statutes, are amended to read:

187 985.26 Length of detention.—

188 (1) A child may not be placed into or held in ~~secure or~~
189 ~~nonsecure~~ detention care for longer than 24 hours unless the
190 court orders such detention care, and the order includes
191 specific instructions that direct the release of the child from

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192 such detention care, in accordance with s. 985.255. The order
193 shall be a final order, reviewable by appeal under s. 985.534
194 and the Florida Rules of Appellate Procedure. Appeals of such
195 orders shall take precedence over other appeals and other
196 pending matters.

197 (2) (a) Except as provided in paragraph (b) or paragraph
198 (c), a child may not be held in ~~secure or nonsecure~~ detention
199 care under a special detention order for more than 21 days
200 unless an adjudicatory hearing for the case has been commenced
201 in good faith by the court.

202 (b) ~~However,~~ Upon good cause being shown that the nature of
203 the charge requires additional time for the prosecution or
204 defense of the case, the court may extend the length of
205 detention for an additional 9 days if the child is charged with
206 an offense that would be, if committed by an adult, a capital
207 felony, a life felony, a felony of the first degree, or a felony
208 of the second degree involving violence against any individual.

209 (c) A prolific juvenile offender under s. 985.255(1)(j)
210 shall be placed on nonsecure detention care with electronic
211 monitoring or in secure detention care under a special detention
212 order until disposition. If secure detention care is ordered by
213 the court, it must be authorized under this part and may not
214 exceed:

215 1. 21 days unless an adjudicatory hearing for the case has
216 been commenced in good faith by the court or the period is

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217 extended by the court pursuant to paragraph (b); or
218 2. 15 days following the entry of an order of
219 adjudication.

220
221 As used in this paragraph, the term "disposition" means a
222 declination to file under s. 985.15(1)(h), the entry of nolle
223 prosequi for the charges, the filing of an indictment under s.
224 985.56 or an information under s. 985.557, a dismissal of the
225 case, or an order of final disposition by the court.

226 (3) Except as provided in subsection (2), a child may not
227 be held in ~~secure or nonsecure~~ detention care for more than 15
228 days following the entry of an order of adjudication.

229 (4) (a) The time limits in subsections (2) and (3) do not
230 include periods of delay resulting from a continuance granted by
231 the court for cause on motion of the child or his or her counsel
232 or of the state. Upon the issuance of an order granting a
233 continuance for cause on a motion by either the child, the
234 child's counsel, or the state, the court shall conduct a hearing
235 at the end of each 72-hour period, excluding Saturdays, Sundays,
236 and legal holidays, to determine the need for continued
237 detention of the child and the need for further continuance of
238 proceedings for the child or the state.

239 (b) The period for nonsecure detention care under this
240 section is tolled on the date that the department or a law
241 enforcement officer alleges that the child has violated a

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242 condition of the child's nonsecure detention care until the
243 court enters a ruling on the violation. Notwithstanding the
244 tolling of nonsecure detention care, the court retains
245 jurisdiction over the child for a violation of a condition of
246 nonsecure detention care during the tolling period. If the court
247 finds that a child has violated his or her nonsecure detention
248 care, the number of days that the child served in any type of
249 detention care before commission of the violation shall be
250 excluded from the time limits under subsections (2) and (3).

251 Section 5. Subsection (2) of section 985.265, Florida
252 Statutes, is amended to read:

253 985.265 Detention transfer and release; education; adult
254 jails.-

255 (2) If a child is on release status and not detained under
256 this part, the child may be placed into ~~secure or nonsecure~~
257 detention care only pursuant to a court hearing in which the
258 original risk assessment instrument and the newly discovered
259 evidence or changed circumstances are introduced into evidence
260 with a rescored risk assessment instrument.

261 Section 6. Section 985.27, Florida Statutes, is amended to
262 read:

263 985.27 Postdisposition detention while awaiting commitment
264 placement.-

265 ~~(1)~~ The court must place all children who are adjudicated
266 and awaiting placement in a commitment program in secure

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267 detention care until the placement or commitment is
268 accomplished. Children who are in nonsecure detention care may
269 be placed on electronic monitoring.

270 (a) ~~A child who is awaiting placement in a nonsecure~~
271 ~~residential program must be removed from detention within 5~~
272 ~~days, excluding Saturdays, Sundays, and legal holidays. Any~~
273 ~~child held in secure detention during the 5 days must meet~~
274 ~~detention admission criteria under this part. The department may~~
275 ~~seek an order from the court authorizing continued detention for~~
276 ~~a specific period of time necessary for the appropriate~~
277 ~~residential placement of the child. However, such continued~~
278 ~~detention in secure detention care may not exceed 15 days after~~
279 ~~entry of the commitment order, excluding Saturdays, Sundays, and~~
280 ~~legal holidays, and except as otherwise provided in this~~
281 ~~section. A child who is placed in nonsecure detention care or~~
282 ~~nonsecure detention care with electronic monitoring, while~~
283 ~~awaiting placement in a nonsecure residential program, may be~~
284 ~~held in secure detention care for 5 days, if the child violates~~
285 ~~the conditions of the nonsecure detention care or the electronic~~
286 ~~monitoring agreement. For any subsequent violation, the court~~
287 ~~may impose an additional 5 days in secure detention care.~~

288 (b) ~~If the child is committed to a high-risk residential~~
289 ~~program, the child must be held in secure detention care until~~
290 ~~placement or commitment is accomplished.~~

291 (c) ~~If the child is committed to a maximum-risk~~

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292 ~~residential program, the child must be held in secure detention~~
293 ~~care until placement or commitment is accomplished.~~

294 ~~(2) Regardless of detention status, a child being~~
295 ~~transported by the department to a residential commitment~~
296 ~~facility of the department may be placed in secure detention~~
297 ~~overnight, not to exceed a 24-hour period, for the specific~~
298 ~~purpose of ensuring the safe delivery of the child to his or her~~
299 ~~residential commitment program, court, appointment, transfer, or~~
300 ~~release.~~

301 Section 7. Subsection (1) of section 985.35, Florida
302 Statutes, is amended to read:

303 985.35 Adjudicatory hearings; withheld adjudications;
304 orders of adjudication.-

305 (1)(a) Except as provided in paragraph (b), the
306 adjudicatory hearing must be held as soon as practicable after
307 the petition alleging that a child has committed a delinquent
308 act or violation of law is filed and in accordance with the
309 Florida Rules of Juvenile Procedure; but reasonable delay for
310 the purpose of investigation, discovery, or procuring counsel or
311 witnesses shall be granted. If the child is being detained, the
312 time limitations in s. 985.26(2) and (3) apply.

313 (b) If the child is a prolific juvenile offender under s.
314 985.255(1)(j), the adjudicatory hearing must be held within 45
315 days after the child is taken into custody unless a delay is
316 requested by the child.

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317 Section 8. Subsection (1) of section 985.514, Florida
318 Statutes, is amended to read:

319 985.514 Responsibility for cost of care; fees.-

320 (1) When any child is placed into ~~secure or nonsecure~~
321 detention care or into other placement for the purpose of being
322 supervised by the department pursuant to a court order following
323 a detention hearing, the court shall order the child's parents
324 to pay fees to the department as provided in s. 985.039.

325 Section 9. For the purpose of incorporating the amendments
326 made by this act to sections 984.25, 985.255, and 985.26,
327 Florida Statutes, in references thereto, subsection (8) of
328 section 790.22, Florida Statutes, is reenacted to read:

329 790.22 Use of BB guns, air or gas-operated guns, or
330 electric weapons or devices by minor under 16; limitation;
331 possession of firearms by minor under 18 prohibited; penalties.-

332 (8) Notwithstanding s. 985.24 or s. 985.25(1), if a minor
333 is charged with an offense that involves the use or possession
334 of a firearm, including a violation of subsection (3), or is
335 charged for any offense during the commission of which the minor
336 possessed a firearm, the minor shall be detained in secure
337 detention, unless the state attorney authorizes the release of
338 the minor, and shall be given a hearing within 24 hours after
339 being taken into custody. At the hearing, the court may order
340 that the minor continue to be held in secure detention in
341 accordance with the applicable time periods specified in s.

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342 985.26(1)-(5), if the court finds that the minor meets the
343 criteria specified in s. 985.255, or if the court finds by clear
344 and convincing evidence that the minor is a clear and present
345 danger to himself or herself or the community. The Department of
346 Juvenile Justice shall prepare a form for all minors charged
347 under this subsection which states the period of detention and
348 the relevant demographic information, including, but not limited
349 to, the gender, age, and race of the minor; whether or not the
350 minor was represented by private counsel or a public defender;
351 the current offense; and the minor's complete prior record,
352 including any pending cases. The form shall be provided to the
353 judge for determining whether the minor should be continued in
354 secure detention under this subsection. An order placing a minor
355 in secure detention because the minor is a clear and present
356 danger to himself or herself or the community must be in
357 writing, must specify the need for detention and the benefits
358 derived by the minor or the community by placing the minor in
359 secure detention, and must include a copy of the form provided
360 by the department.

361 Section 10. For the purpose of incorporating the amendment
362 made by this act to sections 985.255 and 985.26, Florida
363 Statutes, in references thereto, subsection (2) of section
364 985.115, Florida Statutes, is reenacted to read:

365 985.115 Release or delivery from custody.—

366 (2) Unless otherwise ordered by the court under s. 985.255

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367 or s. 985.26, and unless there is a need to hold the child, a
368 person taking a child into custody shall attempt to release the
369 child as follows:

370 (a) To the child's parent, guardian, or legal custodian
371 or, if the child's parent, guardian, or legal custodian is
372 unavailable, unwilling, or unable to provide supervision for the
373 child, to any responsible adult. Prior to releasing the child to
374 a responsible adult, other than the parent, guardian, or legal
375 custodian, the person taking the child into custody may conduct
376 a criminal history background check of the person to whom the
377 child is to be released. If the person has a prior felony
378 conviction, or a conviction for child abuse, drug trafficking,
379 or prostitution, that person is not a responsible adult for the
380 purposes of this section. The person to whom the child is
381 released shall agree to inform the department or the person
382 releasing the child of the child's subsequent change of address
383 and to produce the child in court at such time as the court may
384 direct, and the child shall join in the agreement.

385 (b) Contingent upon specific appropriation, to a shelter
386 approved by the department or to an authorized agent.

387 (c) If the child is believed to be suffering from a
388 serious physical condition which requires either prompt
389 diagnosis or prompt treatment, to a law enforcement officer who
390 shall deliver the child to a hospital for necessary evaluation
391 and treatment.

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392 (d) If the child is believed to be mentally ill as defined
393 in s. 394.463(1), to a law enforcement officer who shall take
394 the child to a designated public receiving facility as defined
395 in s. 394.455 for examination under s. 394.463.

396 (e) If the child appears to be intoxicated and has
397 threatened, attempted, or inflicted physical harm on himself or
398 herself or another, or is incapacitated by substance abuse, to a
399 law enforcement officer who shall deliver the child to a
400 hospital, addictions receiving facility, or treatment resource.

401 (f) If available, to a juvenile assessment center equipped
402 and staffed to assume custody of the child for the purpose of
403 assessing the needs of the child in custody. The center may then
404 release or deliver the child under this section with a copy of
405 the assessment.

406 Section 11. For the purpose of incorporating the amendment
407 made by this act to sections 985.255 and 985.26, Florida
408 Statutes, in references thereto, subsection (2) of section
409 985.13, Florida Statutes, is reenacted to read:

410 985.13 Probable cause affidavits.—

411 (2) A person taking a child into custody who determines,
412 under part V, that the child should be detained or released to a
413 shelter designated by the department, shall make a reasonable
414 effort to immediately notify the parent, guardian, or legal
415 custodian of the child and shall, without unreasonable delay,
416 deliver the child to the appropriate juvenile probation officer

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417 or, if the court has so ordered under s. 985.255 or s. 985.26,
418 to a detention center or facility. Upon delivery of the child,
419 the person taking the child into custody shall make a written
420 report or probable cause affidavit to the appropriate juvenile
421 probation officer. Such written report or probable cause
422 affidavit must:

423 (a) Identify the child and, if known, the parents,
424 guardian, or legal custodian.

425 (b) Establish that the child was legally taken into
426 custody, with sufficient information to establish the
427 jurisdiction of the court and to make a prima facie showing that
428 the child has committed a violation of law.

429 Section 12. For the purpose of incorporating the amendment
430 made by this act to section 985.255, Florida Statutes, in a
431 reference thereto, paragraph (b) of subsection (2) of section
432 985.245, Florida Statutes, is reenacted to read:

433 985.245 Risk assessment instrument.—

434 (2)

435 (b) The risk assessment instrument shall take into
436 consideration, but need not be limited to, prior history of
437 failure to appear, prior offenses, offenses committed pending
438 adjudication, any unlawful possession of a firearm, theft of a
439 motor vehicle or possession of a stolen motor vehicle, and
440 probation status at the time the child is taken into custody.

441 The risk assessment instrument shall also take into

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442 consideration appropriate aggravating and mitigating
443 circumstances, and shall be designed to target a narrower
444 population of children than s. 985.255. The risk assessment
445 instrument shall also include any information concerning the
446 child's history of abuse and neglect. The risk assessment shall
447 indicate whether detention care is warranted, and, if detention
448 care is warranted, whether the child should be placed into
449 secure or nonsecure detention care.

450 Section 13. For the purpose of incorporating the amendment
451 made by this act to section 985.26, Florida Statutes, in a
452 reference thereto, subsection (2) of section 985.255, Florida
453 Statutes, is reenacted to read:

454 985.255 Detention criteria; detention hearing.—

455 (2) A child who is charged with committing an offense that
456 is classified as an act of domestic violence as defined in s.
457 741.28 and whose risk assessment instrument indicates secure
458 detention is not appropriate may be held in secure detention if
459 the court makes specific written findings that:

460 (a) Respite care for the child is not available.

461 (b) It is necessary to place the child in secure detention
462 in order to protect the victim from injury.

463

464 The child may not be held in secure detention under this
465 subsection for more than 48 hours unless ordered by the court.

466 After 48 hours, the court shall hold a hearing if the state

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467 attorney or victim requests that secure detention be continued.
468 The child may continue to be held in detention care if the court
469 makes a specific, written finding that detention care is
470 necessary to protect the victim from injury. However, the child
471 may not be held in detention care beyond the time limits set
472 forth in this section or s. 985.26.

473 Section 14. For the purpose of incorporating the amendment
474 made by this act to section 985.255, Florida Statutes, in a
475 reference thereto, subsection (1) of section 985.275, Florida
476 Statutes, is reenacted to read:

477 985.275 Detention of escapee or absconder on authority of
478 the department.—

479 (1) If an authorized agent of the department has
480 reasonable grounds to believe that any delinquent child
481 committed to the department has escaped from a residential
482 commitment facility or from being lawfully transported thereto
483 or therefrom, or has absconded from a nonresidential commitment
484 facility, the agent shall notify law enforcement and, if the
485 offense would require notification under chapter 960, notify the
486 victim. The agent shall make every reasonable effort as
487 permitted within existing resources provided to the department
488 to locate the delinquent child, and the child may be returned to
489 the facility or, if it is closer, to a detention center for
490 return to the facility. However, a child may not be held in
491 detention longer than 24 hours, excluding Saturdays, Sundays,

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492 and legal holidays, unless a special order so directing is made
493 by the judge after a detention hearing resulting in a finding
494 that detention is required based on the criteria in s. 985.255.
495 The order shall state the reasons for such finding. The reasons
496 shall be reviewable by appeal or in habeas corpus proceedings in
497 the district court of appeal.

498 Section 15. For the purpose of incorporating the amendment
499 made by this act to section 985.255, Florida Statutes, in a
500 reference thereto, subsection (6) of section 985.319, Florida
501 Statutes, is reenacted to read:

502 985.319 Process and service.—

503 (6) If the petition alleges that the child has committed a
504 delinquent act or violation of law and the judge deems it
505 advisable to do so, under the criteria of s. 985.255, the judge
506 may, by endorsement upon the summons and after the entry of an
507 order in which valid reasons are specified, order the child to
508 be taken into custody immediately, and in such case the person
509 serving the summons shall immediately take the child into
510 custody.

511 Section 16. This act shall take effect October 1, 2017.

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513

514

515

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

Remove everything before the enacting clause and insert:

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516 An act relating to juvenile justice; amending s. 382.0255, F.S.;
517 requiring the Department of Health to waive fees for a birth
518 certificate issued to certain juvenile offenders; amending s.
519 985.25, F.S.; revising terminology; providing that a child
520 meeting specified criteria shall be placed in secure detention
521 care until the child's detention hearing; amending s. 985.255,
522 F.S.; revising terminology; providing criteria for a child to be
523 a prolific juvenile offender; defining the term "arrest event";
524 specifying certain information and criteria that may be
525 considered by a court only when determining whether a prolific
526 juvenile offender should be held in secure detention; conforming
527 provisions; amending s. 985.26, F.S.; revising terminology;
528 requiring the court to place a prolific juvenile offender in
529 certain detention care under a special detention order until
530 disposition; specifying time limitations for secure detention
531 for a prolific juvenile offender; defining the term
532 "disposition"; revising terminology; providing for the tolling
533 of nonsecure detention care for an alleged violation of such
534 detention care; providing for the retention of jurisdiction by
535 the court over a child during the tolling period; revising the
536 calculation of detention care days served if a child violates
537 nonsecure detention care; amending s. 985.265, F.S.; revising
538 terminology; amending s. 985.27, F.S.; requiring secure
539 detention for all children awaiting placement in a commitment
540 program until the placement or commitment is accomplished;

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7059 (2017)

Amendment No.

541 amending s. 985.35, F.S.; requiring the adjudicatory hearing for
542 a child who is a prolific juvenile offender to be held within a
543 specified period unless such child requests a delay; amending s.
544 985.514, F.S.; revising terminology; reenacting s. 790.22(8),
545 F.S., relating to secure detention for minors charged with an
546 offense involving firearms, to incorporate the amendments made
547 by the act to ss. 985.25, 985.255, and 985.26, F.S., in
548 references thereto; reenacting s. 985.115(2), F.S., relating to
549 release or delivery from custody, to incorporate the amendments
550 made by the act to ss. 985.255 and 985.26, F.S., in references
551 thereto; reenacting s. 985.13(2), F.S., relating to probable
552 cause affidavits, to incorporate the amendments made by the act
553 to ss. 985.255 and 985.26, F.S., in references thereto;
554 reenacting s. 985.245(2)(b), F.S., relating to risk assessment
555 instruments, to incorporate the amendment made by this act to s.
556 985.255, F.S., in a reference thereto; reenacting s. 985.255(2),
557 F.S., relating to detention criteria and hearings, to
558 incorporate the amendment made by this act to s. 985.26, F.S.,
559 in a reference thereto; reenacting s. 985.275(1), F.S., relating
560 to detention of an escapee or absconder, to incorporate the
561 amendment made by this act to s. 985.255, F.S.; reenacting s.
562 985.319(6), F.S., relating to process and service, to
563 incorporate the amendment made by this act to s. 985.255, F.S.;
564 providing an effective date.

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