

1 A bill to be entitled
 2 An act relating to the juvenile justice; amending s.
 3 320.08058, F.S.; allowing the department to distribute
 4 proceeds from the Invest in Children license plate
 5 annual use fee on a statewide basis; amending s.
 6 985.26, F.S.; requiring the department to hold a
 7 prolific juvenile offender in secure detention pending
 8 a detention hearing following a violation of nonsecure
 9 detention; amending s. 985.433, F.S.; requiring the
 10 court to consider a predisposition report from the
 11 department before committing a child; amending s.
 12 985.672, F.S.; requiring the board of directors of the
 13 department's direct-support organization to be
 14 appointed according to the organization's bylaws;
 15 deleting the scheduled repeal of provisions governing
 16 a direct-support organization established by the
 17 department; providing an effective date.

18
 19 Be It Enacted by the Legislature of the State of Florida:

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 21 Section 1. Paragraph (b) of subsection (11) of section
 22 320.08058, Florida Statutes, is amended to read:

23 320.08058 Specialty license plates.—

24 (11) INVEST IN CHILDREN LICENSE PLATES.—

25 (b) The proceeds of the Invest in Children license plate

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26 | annual use fee must be deposited into the Juvenile Crime
27 | Prevention and Early Intervention Trust Fund within the
28 | Department of Juvenile Justice. Based on the recommendations of
29 | the juvenile justice councils, the department shall use the
30 | proceeds of the fee to fund programs and services that are
31 | designed to prevent juvenile delinquency. ~~The department shall~~
32 | ~~allocate moneys for programs and services within each county~~
33 | ~~based on that county's proportionate share of the license plate~~
34 | ~~annual use fee collected by the county.~~

35 | Section 2. Paragraph (d) is added to subsection (2) of
36 | section 985.26, Florida Statutes, to read:

37 | 985.26 Length of detention.—

38 | (2)

39 | (d) A prolific juvenile offender under s. 985.255(1)(j)
40 | who is taken into custody for a violation of the conditions of
41 | his or her nonsecure detention must be held in secure detention
42 | until a detention hearing is held.

43 | Section 3. Subsections (7) through (10) of section
44 | 985.433, Florida Statutes, are renumbered as subsections (8)
45 | through (11), respectively, paragraph (c) of present subsection
46 | (7) is amended, and a new subsection (7) is added to that
47 | section, to read:

48 | 985.433 Disposition hearings in delinquency cases.—When a
49 | child has been found to have committed a delinquent act, the
50 | following procedures shall be applicable to the disposition of

51 the case:

52 (7) The court must receive and consider the department's
53 predisposition report, which shall include the department's
54 recommendations, before committing a child to the department.
55 The predisposition report cannot be waived by any party or by
56 agreement of the parties.

57 (8)~~(7)~~ If the court determines that the child should be
58 adjudicated as having committed a delinquent act and should be
59 committed to the department, such determination shall be in
60 writing or on the record of the hearing. The determination shall
61 include a specific finding of the reasons for the decision to
62 adjudicate and to commit the child to the department, including
63 any determination that the child was a member of a criminal
64 gang.

65 (c) The court may also require that the child be placed in
66 a probation program following the child's discharge from
67 commitment. Community-based sanctions under subsection (9)~~(8)~~
68 may be imposed by the court at the disposition hearing or at any
69 time prior to the child's release from commitment.

70 Section 4. Subsections (3) and (7) of section 985.672,
71 Florida Statutes, are amended to read:

72 985.672 Direct-support organization; definition; use of
73 property; board of directors; audit.—

74 (3) BOARD OF DIRECTORS.—The Secretary of Juvenile Justice
75 shall appoint a board of directors of the direct-support

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76 organization. The board members shall be appointed according to
77 the organization's bylaws ~~Members of the organization must~~
78 ~~include representatives from businesses, representatives from~~
79 ~~each of the juvenile justice service districts, and one~~
80 ~~representative appointed at large.~~

81 ~~(7) REPEAL. This section is repealed October 1, 2018,~~
82 ~~unless reviewed and saved from repeal by the Legislature.~~

83 Section 5. This act shall take effect July 1, 2018.