

By Senator Powell

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1 A bill to be entitled
2 An act relating to prosecuting children as adults;
3 amending s. 985.556, F.S.; deleting provisions under
4 which a state attorney either must request a court to
5 transfer and certify children of certain ages who
6 commit specified crimes for prosecution as adults or
7 must provide written reasons to the court for not
8 making such a request, or proceed under certain
9 provisions; amending s. 985.557, F.S.; revising the
10 circumstances under which a state attorney may file an
11 information in cases that involve children of certain
12 ages who commit certain crimes; deleting provisions
13 under which a state attorney must file an information
14 on children of certain ages who commit, attempt to
15 commit, are charged with committing, or conspire to
16 commit, specified crimes; deleting definitions;
17 amending s. 985.56, F.S.; providing that children 14
18 years of age or older, rather than children of any
19 age, who are charged with certain offenses are subject
20 to the jurisdiction of the court until an indictment
21 is returned by the grand jury; prohibiting the
22 transfer to adult court for criminal prosecution of
23 children who commit an indictable offense and who have
24 a pending competency hearing or have previously been
25 found incompetent and have not been restored to
26 competency by a court until the child's competency is
27 restored; providing for the tolling of certain time
28 limits; authorizing, rather than requiring, that a
29 child who is found to have committed specified crimes

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30 be sentenced according to certain provisions; amending
31 s. 985.03, F.S.; conforming a cross-reference;
32 amending s. 985.565, F.S.; conforming provisions to
33 changes made by the act; reenacting ss. 985.15(1) and
34 985.265(5), F.S., relating to filing decisions and
35 detention transfer and release, education, and adult
36 jails, respectively, to incorporate the amendments
37 made to ss. 985.556 and 985.557, F.S., in references
38 thereto; reenacting s. 985.26(2)(c), F.S., relating to
39 the length of detention, to incorporate the amendments
40 to ss. 985.557 and 985.56, F.S., in references
41 thereto; providing an effective date.

42
43 Be It Enacted by the Legislature of the State of Florida:

44
45 Section 1. Subsections (2) and (3) of section 985.556,
46 Florida Statutes, are amended, and subsection (1) of that
47 section is republished, to read:

48 985.556 Waiver of juvenile court jurisdiction; hearing.—

49 (1) VOLUNTARY WAIVER.—The court shall transfer and certify
50 a child's criminal case for trial as an adult if the child is
51 alleged to have committed a violation of law and, prior to the
52 commencement of an adjudicatory hearing, the child, joined by a
53 parent or, in the absence of a parent, by the guardian or
54 guardian ad litem, demands in writing to be tried as an adult.
55 Once a child has been transferred for criminal prosecution
56 pursuant to a voluntary waiver hearing and has been found to
57 have committed the presenting offense or a lesser included
58 offense, the child shall be handled thereafter in every respect

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59 as an adult for any subsequent violation of state law, unless
60 the court imposes juvenile sanctions under s. 985.565(4)(b).

61 (2) INVOLUNTARY DISCRETIONARY WAIVER. ~~Except as provided in~~
62 ~~subsection (3),~~ The state attorney may file a motion requesting
63 the court to transfer the child for criminal prosecution if the
64 child was 14 years of age or older at the time the alleged
65 delinquent act or violation of law was committed.

66 ~~(3) INVOLUNTARY MANDATORY WAIVER.—~~

67 ~~(a) If the child was 14 years of age or older, and if the~~
68 ~~child has been previously adjudicated delinquent for an act~~
69 ~~classified as a felony, which adjudication was for the~~
70 ~~commission of, attempt to commit, or conspiracy to commit~~
71 ~~murder, sexual battery, armed or strong-armed robbery,~~
72 ~~earjacking, home invasion robbery, aggravated battery,~~
73 ~~aggravated assault, or burglary with an assault or battery, and~~
74 ~~the child is currently charged with a second or subsequent~~
75 ~~violent crime against a person; or~~

76 ~~(b) If the child was 14 years of age or older at the time~~
77 ~~of commission of a fourth or subsequent alleged felony offense~~
78 ~~and the child was previously adjudicated delinquent or had~~
79 ~~adjudication withheld for or was found to have committed, or to~~
80 ~~have attempted or conspired to commit, three offenses that are~~
81 ~~felony offenses if committed by an adult, and one or more of~~
82 ~~such felony offenses involved the use or possession of a firearm~~
83 ~~or violence against a person;~~

84
85 ~~the state attorney shall request the court to transfer and~~
86 ~~certify the child for prosecution as an adult or shall provide~~
87 ~~written reasons to the court for not making such request, or~~

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88 ~~proceed under s. 985.557(1). Upon the state attorney's request,~~
 89 ~~the court shall either enter an order transferring the case and~~
 90 ~~certifying the case for trial as if the child were an adult or~~
 91 ~~provide written reasons for not issuing such an order.~~

92 Section 2. Section 985.557, Florida Statutes, is amended to
 93 read:

94 985.557 Prosecuting children as adults ~~Direct filing of an~~
 95 ~~information; discretionary and mandatory criteria.-~~

96 (1) DISCRETIONARY PROSECUTION OF CHILDREN AS ADULTS ~~DIRECT~~
 97 ~~FILE.-~~

98 (a) ~~With respect to any child who was 14 or 15 years of age~~
 99 ~~at the time the alleged offense was committed, the state~~
 100 ~~attorney may file an information when in the state attorney's~~
 101 ~~judgment and discretion the public interest requires that adult~~
 102 ~~sanctions be considered or imposed and when the offense charged~~
 103 ~~is for the commission of, attempt to commit, or conspiracy to~~
 104 ~~commit:~~

- 105 1. ~~Arson;~~
- 106 2. ~~Sexual battery;~~
- 107 3. ~~Robbery;~~
- 108 4. ~~Kidnapping;~~
- 109 5. ~~Aggravated child abuse;~~
- 110 6. ~~Aggravated assault;~~
- 111 7. ~~Aggravated stalking;~~
- 112 8. ~~Murder;~~
- 113 9. ~~Manslaughter;~~
- 114 10. ~~Unlawful throwing, placing, or discharging of a~~
 115 ~~destructive device or bomb;~~
- 116 11. ~~Armed burglary in violation of s. 810.02(2)(b) or~~

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117 ~~specified burglary of a dwelling or structure in violation of s.~~
118 ~~810.02(2)(c), or burglary with an assault or battery in~~
119 ~~violation of s. 810.02(2)(a);~~

120 ~~12. Aggravated battery;~~

121 ~~13. Any lewd or lascivious offense committed upon or in the~~
122 ~~presence of a person less than 16 years of age;~~

123 ~~14. Carrying, displaying, using, threatening, or attempting~~
124 ~~to use a weapon or firearm during the commission of a felony;~~

125 ~~15. Grand theft in violation of s. 812.014(2)(a);~~

126 ~~16. Possessing or discharging any weapon or firearm on~~
127 ~~school property in violation of s. 790.115;~~

128 ~~17. Home invasion robbery;~~

129 ~~18. Carjacking; or~~

130 ~~19. Grand theft of a motor vehicle in violation of s.~~
131 ~~812.014(2)(c)6. or grand theft of a motor vehicle valued at~~
132 ~~\$20,000 or more in violation of s. 812.014(2)(b) if the child~~
133 ~~has a previous adjudication for grand theft of a motor vehicle~~
134 ~~in violation of s. 812.014(2)(c)6. or s. 812.014(2)(b).~~

135 ~~(b)~~ With respect to any child who was 16 or 17 years of age
136 at the time the alleged violent felony offense was committed,
137 the state attorney may file an information when in the state
138 attorney's judgment and discretion the public interest requires
139 that adult sanctions be considered or imposed. However, the
140 state attorney may not file an information on a child charged
141 with a misdemeanor, unless the child has had at least two
142 previous adjudications or adjudications withheld for delinquent
143 acts, one of which involved an offense classified as a violent
144 felony under state law.

145 ~~(2) MANDATORY DIRECT FILE.~~

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146 ~~(a) With respect to any child who was 16 or 17 years of age~~
147 ~~at the time the alleged offense was committed, the state~~
148 ~~attorney shall file an information if the child has been~~
149 ~~previously adjudicated delinquent for an act classified as a~~
150 ~~felony, which adjudication was for the commission of, attempt to~~
151 ~~commit, or conspiracy to commit murder, sexual battery, armed or~~
152 ~~strong-armed robbery, carjacking, home-invasion robbery,~~
153 ~~aggravated battery, or aggravated assault, and the child is~~
154 ~~currently charged with a second or subsequent violent crime~~
155 ~~against a person.~~

156 ~~(b) With respect to any child 16 or 17 years of age at the~~
157 ~~time an offense classified as a forcible felony, as defined in~~
158 ~~s. 776.08, was committed, the state attorney shall file an~~
159 ~~information if the child has previously been adjudicated~~
160 ~~delinquent or had adjudication withheld for three acts~~
161 ~~classified as felonies each of which occurred at least 45 days~~
162 ~~apart from each other. This paragraph does not apply when the~~
163 ~~state attorney has good cause to believe that exceptional~~
164 ~~circumstances exist which preclude the just prosecution of the~~
165 ~~juvenile in adult court.~~

166 ~~(c) The state attorney must file an information if a child,~~
167 ~~regardless of the child's age at the time the alleged offense~~
168 ~~was committed, is alleged to have committed an act that would be~~
169 ~~a violation of law if the child were an adult, that involves~~
170 ~~stealing a motor vehicle, including, but not limited to, a~~
171 ~~violation of s. 812.133, relating to carjacking, or s.~~
172 ~~812.014(2)(c)6., relating to grand theft of a motor vehicle, and~~
173 ~~while the child was in possession of the stolen motor vehicle~~
174 ~~the child caused serious bodily injury to or the death of a~~

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175 ~~person who was not involved in the underlying offense. For~~
176 ~~purposes of this section, the driver and all willing passengers~~
177 ~~in the stolen motor vehicle at the time such serious bodily~~
178 ~~injury or death is inflicted shall also be subject to mandatory~~
179 ~~transfer to adult court. "Stolen motor vehicle," for the~~
180 ~~purposes of this section, means a motor vehicle that has been~~
181 ~~the subject of any criminal wrongful taking. For purposes of~~
182 ~~this section, "willing passengers" means all willing passengers~~
183 ~~who have participated in the underlying offense.~~

184 ~~(d)1. With respect to any child who was 16 or 17 years of~~
185 ~~age at the time the alleged offense was committed, the state~~
186 ~~attorney shall file an information if the child has been charged~~
187 ~~with committing or attempting to commit an offense listed in s.~~
188 ~~775.087(2) (a)1.a. p., and, during the commission of or attempt~~
189 ~~to commit the offense, the child:~~

190 ~~a. Actually possessed a firearm or destructive device, as~~
191 ~~those terms are defined in s. 790.001.~~

192 ~~b. Discharged a firearm or destructive device, as described~~
193 ~~in s. 775.087(2) (a)2.~~

194 ~~c. Discharged a firearm or destructive device, as described~~
195 ~~in s. 775.087(2) (a)3., and, as a result of the discharge, death~~
196 ~~or great bodily harm was inflicted upon any person.~~

197 ~~2. Upon transfer, any child who is:~~

198 ~~a. Charged under sub-subparagraph 1.a. and who has been~~
199 ~~previously adjudicated or had adjudication withheld for a~~
200 ~~forcible felony offense or any offense involving a firearm, or~~
201 ~~who has been previously placed in a residential commitment~~
202 ~~program, shall be subject to sentencing under s. 775.087(2) (a),~~
203 ~~notwithstanding s. 985.565.~~

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204 ~~b. Charged under sub-subparagraph 1.b. or sub-subparagraph~~
205 ~~1.c., shall be subject to sentencing under s. 775.087(2)(a),~~
206 ~~notwithstanding s. 985.565.~~

207 ~~3. Upon transfer, any child who is charged under this~~
208 ~~paragraph, but who does not meet the requirements specified in~~
209 ~~subparagraph 2., shall be sentenced under s. 985.565; however,~~
210 ~~if the court imposes a juvenile sanction, the court must commit~~
211 ~~the child to a high-risk or maximum-risk juvenile facility.~~

212 ~~4. This paragraph shall not apply if the state attorney has~~
213 ~~good cause to believe that exceptional circumstances exist that~~
214 ~~preclude the just prosecution of the child in adult court.~~

215 (b)5. The Department of Corrections shall make every
216 reasonable effort to ensure that any child 16 or 17 years of age
217 who is convicted and sentenced under this subsection is
218 ~~paragraph~~ be completely separated such that there is no physical
219 contact with adult offenders in the facility, to the extent that
220 it is consistent with chapter 958.

221 ~~(2)(3)~~ EFFECT OF PROSECUTION OF CHILDREN AS ADULTS DIRECT
222 FILE.-

223 (a) Once a child has been transferred for criminal
224 prosecution pursuant to an information and has been found to
225 have committed the presenting offense or a lesser included
226 offense, the child shall be handled thereafter in every respect
227 as if an adult for any subsequent violation of state law, unless
228 the court imposes juvenile sanctions under s. 985.565.

229 (b) When a child is transferred for criminal prosecution as
230 an adult, the court shall immediately transfer and certify to
231 the adult circuit court all felony cases pertaining to the
232 child, for prosecution of the child as an adult, which have not

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233 yet resulted in a plea of guilty or nolo contendere or in which
234 a finding of guilt has not been made. If a child is acquitted of
235 all charged offenses or lesser included offenses contained in
236 the original case transferred to adult court, all felony cases
237 that were transferred to adult court as a result of this
238 paragraph shall be subject to the same penalties to which such
239 cases would have been subject before being transferred to adult
240 court.

241 (c) When a child has been transferred for criminal
242 prosecution as an adult and has been found to have committed a
243 violation of state law, the disposition of the case may be made
244 under s. 985.565 and may include the enforcement of any
245 restitution ordered in any juvenile proceeding.

246 (3)~~(4)~~ CHARGES INCLUDED ON INFORMATION.—An information
247 filed pursuant to this section may include all charges that are
248 based on the same act, criminal episode, or transaction as the
249 primary offenses.

250 Section 3. Section 985.56, Florida Statutes, is amended to
251 read:

252 985.56 Indictment of a juvenile.—

253 (1) A child 14 years of age or older ~~of any age~~ who is
254 charged with a violation of state law punishable by death or by
255 life imprisonment is subject to the jurisdiction of the court as
256 set forth in s. 985.0301(2) unless and until an indictment on
257 the charge is returned by the grand jury. When such indictment
258 is returned, the petition for delinquency, if any, must be
259 dismissed and the child must be tried and handled in every
260 respect as an adult:

261 (a) On the indictable offense punishable by death or by

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262 life imprisonment; and

263 (b) On all other felonies or misdemeanors charged in the
264 indictment which are based on the same act or transaction as the
265 indictable offense punishable by death or by life imprisonment
266 or on one or more acts or transactions connected with the
267 offense punishable by death or by life imprisonment.

268 (2) An adjudicatory hearing may not be held until 21 days
269 after the child is taken into custody and charged with having
270 committed an indictable offense punishable by death or by life
271 imprisonment, unless the state attorney advises the court in
272 writing that he or she does not intend to present the case to
273 the grand jury, or has presented the case to the grand jury and
274 the grand jury has not returned an indictment. If the court
275 receives such a notice from the state attorney, or if the grand
276 jury fails to act within the 21-day period, the court may
277 proceed as otherwise authorized under this part.

278 (3) Notwithstanding any other law, a child who commits an
279 offense for which he or she may be indicted and who has a
280 pending competency hearing in juvenile court or has been
281 previously found to be incompetent and has not been restored to
282 competency by a court may not be transferred to adult court for
283 criminal prosecution until the child's competency is restored. A
284 pending competency hearing or a finding of incompetency tolls
285 the time limits in subsection (2). If the child is found to have
286 committed the offense punishable by death or by life
287 imprisonment, the child may ~~shall~~ be sentenced pursuant to s.
288 985.565 ~~as an adult~~. If the juvenile is not found to have
289 committed the indictable offense but is found to have committed
290 a lesser included offense or any other offense for which he or

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291 she was indicted as a part of the criminal episode, the court
292 may sentence under s. 985.565.

293 (4) (a) If ~~Once~~ a child has been indicted pursuant to this
294 section and has been found to have committed any offense for
295 which he or she was indicted as a part of the criminal episode,
296 the child shall be handled thereafter in every respect as if an
297 adult for any subsequent violation of state law, unless the
298 court imposes juvenile sanctions under s. 985.565.

299 (b) If ~~When~~ a child has been indicted pursuant to this
300 section, the court shall immediately transfer and certify to the
301 adult circuit court all felony cases pertaining to the child,
302 for prosecution of the child as an adult, which have not yet
303 resulted in a plea of guilty or nolo contendere or in which a
304 finding of guilt has not been made. If the child is acquitted of
305 all charged offenses or lesser included offenses contained in
306 the indictment case, all felony cases that were transferred to
307 adult court pursuant to this paragraph shall be subject to the
308 same penalties such cases were subject to before being
309 transferred to adult court.

310 Section 4. Subsection (54) of section 985.03, Florida
311 Statutes, is amended to read:

312 985.03 Definitions.—As used in this chapter, the term:

313 (54) "Waiver hearing" means a hearing provided for under s.
314 985.556(3) ~~s. 985.556(4)~~.

315 Section 5. Paragraphs (a) and (b) of subsection (4) of
316 section 985.565, Florida Statutes, are amended to read:

317 985.565 Sentencing powers; procedures; alternatives for
318 juveniles prosecuted as adults.—

319 (4) SENTENCING ALTERNATIVES.—

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320 (a) *Adult sanctions.*—

321 1. Cases prosecuted on indictment.—If the child is found to
322 have committed the offense punishable by death or life
323 imprisonment, the child shall be sentenced as an adult. If the
324 juvenile is not found to have committed the indictable offense
325 but is found to have committed a lesser included offense or any
326 other offense for which he or she was indicted as a part of the
327 criminal episode, the court may sentence as follows:

328 a. As an adult;

329 b. Under chapter 958; or

330 c. As a juvenile under this section.

331 2. Other cases.—If a child who has been transferred for
332 criminal prosecution pursuant to information or waiver of
333 juvenile court jurisdiction is found to have committed a
334 violation of state law or a lesser included offense for which he
335 or she was charged as a part of the criminal episode, the court
336 may sentence as follows:

337 a. As an adult;

338 b. Under chapter 958; or

339 c. As a juvenile under this section.

340 ~~3. Notwithstanding any other provision to the contrary, if~~
341 ~~the state attorney is required to file a motion to transfer and~~
342 ~~certify the juvenile for prosecution as an adult under s.~~
343 ~~985.556(3) and that motion is granted, or if the state attorney~~
344 ~~is required to file an information under s. 985.557(2) (a) or~~
345 ~~(b), the court must impose adult sanctions.~~

346 4. Any sentence imposing adult sanctions is presumed
347 appropriate, and the court is not required to set forth specific
348 findings or enumerate the criteria in this subsection as any

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349 basis for its decision to impose adult sanctions.

350 ~~4.5.~~ When a child has been transferred for criminal
351 prosecution as an adult and has been found to have committed a
352 violation of state law, the disposition of the case may include
353 the enforcement of any restitution ordered in any juvenile
354 proceeding.

355 (b) *Juvenile sanctions.*—For juveniles transferred to adult
356 court ~~but who do not qualify for such transfer under s.~~
357 ~~985.556(3) or s. 985.557(2)(a) or (b),~~ the court may impose
358 juvenile sanctions under this paragraph. If juvenile sentences
359 are imposed, the court shall, under this paragraph, adjudge the
360 child to have committed a delinquent act. Adjudication of
361 delinquency shall not be deemed a conviction, nor shall it
362 operate to impose any of the civil disabilities ordinarily
363 resulting from a conviction. The court shall impose an adult
364 sanction or a juvenile sanction and may not sentence the child
365 to a combination of adult and juvenile punishments. An adult
366 sanction or a juvenile sanction may include enforcement of an
367 order of restitution or probation previously ordered in any
368 juvenile proceeding. However, if the court imposes a juvenile
369 sanction and the department determines that the sanction is
370 unsuitable for the child, the department shall return custody of
371 the child to the sentencing court for further proceedings,
372 including the imposition of adult sanctions. Upon adjudicating a
373 child delinquent under subsection (1), the court may:

374 1. Place the child in a probation program under the
375 supervision of the department for an indeterminate period of
376 time until the child reaches the age of 19 years or sooner if
377 discharged by order of the court.

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378 2. Commit the child to the department for treatment in an
379 appropriate program for children for an indeterminate period of
380 time until the child is 21 or sooner if discharged by the
381 department. The department shall notify the court of its intent
382 to discharge no later than 14 days prior to discharge. Failure
383 of the court to timely respond to the department's notice shall
384 be considered approval for discharge.

385 3. Order disposition under ss. 985.435, 985.437, 985.439,
386 985.441, 985.45, and 985.455 as an alternative to youthful
387 offender or adult sentencing if the court determines not to
388 impose youthful offender or adult sanctions.

389
390 It is the intent of the Legislature that the criteria and
391 guidelines in this subsection are mandatory and that a
392 determination of disposition under this subsection is subject to
393 the right of the child to appellate review under s. 985.534.

394 Section 6. For the purpose of incorporating the amendments
395 made by this act to sections 985.556 and 985.557, Florida
396 Statutes, in references thereto, subsection (1) of section
397 985.15, Florida Statutes, is reenacted to read:

398 985.15 Filing decisions.—

399 (1) The state attorney may in all cases take action
400 independent of the action or lack of action of the juvenile
401 probation officer and shall determine the action that is in the
402 best interest of the public and the child. If the child meets
403 the criteria requiring prosecution as an adult under s. 985.556,
404 the state attorney shall request the court to transfer and
405 certify the child for prosecution as an adult or shall provide
406 written reasons to the court for not making such a request. In

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407 all other cases, the state attorney may:

408 (a) File a petition for dependency;

409 (b) File a petition under chapter 984;

410 (c) File a petition for delinquency;

411 (d) File a petition for delinquency with a motion to

412 transfer and certify the child for prosecution as an adult;

413 (e) File an information under s. 985.557;

414 (f) Refer the case to a grand jury;

415 (g) Refer the child to a diversionary, pretrial

416 intervention, arbitration, or mediation program, or to some

417 other treatment or care program if such program commitment is

418 voluntarily accepted by the child or the child's parents or

419 legal guardian; or

420 (h) Decline to file.

421 Section 7. For the purpose of incorporating the amendments

422 made by this act to sections 985.556 and 985.557, Florida

423 Statutes, in references thereto, subsection (5) of section

424 985.265, Florida Statutes, is reenacted to read:

425 985.265 Detention transfer and release; education; adult

426 jails.—

427 (5) The court shall order the delivery of a child to a jail

428 or other facility intended or used for the detention of adults:

429 (a) When the child has been transferred or indicted for

430 criminal prosecution as an adult under part X, except that the

431 court may not order or allow a child alleged to have committed a

432 misdemeanor who is being transferred for criminal prosecution

433 pursuant to either s. 985.556 or s. 985.557 to be detained or

434 held in a jail or other facility intended or used for the

435 detention of adults; however, such child may be held temporarily

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436 in a detention facility; or

437 (b) When a child taken into custody in this state is wanted
438 by another jurisdiction for prosecution as an adult.

439
440 The child shall be housed separately from adult inmates to
441 prohibit a child from having regular contact with incarcerated
442 adults, including trustees. "Regular contact" means sight and
443 sound contact. Separation of children from adults shall permit
444 no more than haphazard or accidental contact. The receiving jail
445 or other facility shall contain a separate section for children
446 and shall have an adequate staff to supervise and monitor the
447 child's activities at all times. Supervision and monitoring of
448 children includes physical observation and documented checks by
449 jail or receiving facility supervisory personnel at intervals
450 not to exceed 10 minutes. This subsection does not prohibit
451 placing two or more children in the same cell. Under no
452 circumstances shall a child be placed in the same cell with an
453 adult.

454 Section 8. Upon the amendments made to section 985.26,
455 Florida Statutes, pursuant to section 11 of chapter 2018-86,
456 Laws of Florida, becoming effective and for the purpose of
457 incorporating the amendments made by this act to section 985.557
458 and 985.56, Florida Statutes, in a reference thereto, paragraph
459 (c) of subsection (2) of section 985.26, Florida Statutes, is
460 reenacted to read:

461 985.26 Length of detention.—

462 (2)

463 (c) A prolific juvenile offender under s. 985.255(1)(f)
464 shall be placed on supervised release detention care with

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465 electronic monitoring or in secure detention care under a
466 special detention order until disposition. If secure detention
467 care is ordered by the court, it must be authorized under this
468 part and may not exceed:

469 1. Twenty-one days unless an adjudicatory hearing for the
470 case has been commenced in good faith by the court or the period
471 is extended by the court pursuant to paragraph (b); or

472 2. Fifteen days after the entry of an order of
473 adjudication.

474

475 As used in this paragraph, the term "disposition" means a
476 declination to file under s. 985.15(1)(h), the entry of nolle
477 prosequi for the charges, the filing of an indictment under s.
478 985.56 or an information under s. 985.557, a dismissal of the
479 case, or an order of final disposition by the court.

480 Section 9. This act shall take effect July 1, 2019.