

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Judiciary Committee
 2 Representative Maney offered the following:

Amendment (with title amendment)

Remove lines 30-50 and insert:

6 943.13. The department may provide supervision to misdemeanor
 7 offenders sentenced or placed on probation by a circuit court,
 8 when so ordered by the sentencing court. A private entity may
 9 not provide probationary or supervision services to felony ~~or~~
 10 ~~misdemeanor~~ offenders sentenced or placed on probation or other
 11 supervision ~~by the circuit court.~~

12 (5) The imposition of sentence may not be suspended and
 13 the defendant thereupon placed on probation or into community
 14 control unless the defendant is placed under the custody of the
 15 department or another public or private entity. A private entity
 16 may not provide probationary or supervision services to felony

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17 ~~or misdemeanor~~ offenders sentenced or placed on probation or
18 other supervision ~~by the circuit court.~~

19 Section 2. Subsections (2) and (3) of section 948.15,
20 Florida Statutes, are amended to read:

21 948.15 Misdemeanor probation services.—

22 (2) A private entity or public entity, including a
23 licensed substance abuse education and intervention program,
24 under the supervision of the board of county commissioners or
25 the court may provide probation services and licensed substance
26 abuse education and treatment intervention programs for
27 misdemeanor offenders sentenced or placed on probation ~~by the~~
28 ~~county court.~~

29 (3) Any private entity, including a licensed substance
30 abuse education and intervention program, providing services for
31 the supervision of misdemeanor probationers must contract with
32 the county in which the services are to be rendered. The chief
33 ~~In a county having a population of fewer than 70,000, the county~~
34 ~~court judge, or the administrative judge of the county court in~~
35 ~~a county that has more than one county court judge,~~ must approve
36 the contract. Terms of the contract must state, but are not
37 limited to:

38 (a) The extent of the services to be rendered by the
39 entity providing supervision or rehabilitation.

40 (b) Staff qualifications and criminal record checks of
41 staff.

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- 42 (c) Staffing levels.
- 43 (d) The number of face-to-face contacts with the offender.
- 44 (e) Procedures for handling the collection of all offender
45 fees and restitution.
- 46 (f) Procedures for handling indigent offenders which
47 ensure placement irrespective of ability to pay.
- 48 (g) Circumstances under which revocation of an offender's
49 probation may be recommended.
- 50 (h) Reporting and recordkeeping requirements.
- 51 (i) Default and contract termination procedures.
- 52 (j) Procedures that aid offenders with job assistance.
- 53 (k) Procedures for accessing criminal history records of
54 probationers.

55
56 In addition, the entity shall supply the chief judge's office
57 with a quarterly report summarizing the number of offenders
58 supervised by the private entity, payment of the required
59 contribution under supervision or rehabilitation, and the number
60 of offenders for whom supervision or rehabilitation will be
61 terminated. All records of the entity must be open to inspection
62 upon the request of the county, the court, the Auditor General,
63 the Office of Program Policy Analysis and Government
64 Accountability, or agents thereof.

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

Remove lines 4-9 and insert:

948.01, F.S.; authorizing the Department of Corrections to supervise certain misdemeanor offenders; deleting a prohibition on private entities providing probationary or supervision services to certain misdemeanor offenders; amending s. 948.15, F.S.; authorizing a private or public entity to provide probation services and other specified programming to misdemeanor offenders; revising the person authorized to approve specified contracts; providing an