

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WITHDRAWN	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: Criminal Justice & Public
 2 Safety Subcommittee

3 Representative Maney offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 30-50 and insert:

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

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

Amendment No.1

17 | may not provide probationary or supervision services to felony
18 | ~~or misdemeanor~~ offenders sentenced or placed on probation or
19 | other supervision ~~by the circuit court.~~

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

22 | 948.15 Misdemeanor probation services.—

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

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

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

Amendment No.1

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

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

Amendment No.1

66
67
68
69
70
71
72
73
74
75
76
77

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