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LEGISLATIVE ACTION

Senate

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House

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Floor: 1/F/3R

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03/07/2022 10:20 AM

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Senator Brandes moved the following:

**Senate Amendment (with title amendment)**

Delete lines 83 - 148

and insert:

involving a weapon used ~~violence~~ against another ~~any~~ individual.

The court may continue to extend the period of secure detention

care in increments of up to 21 days each by conducting a hearing

before the expiration of the current period to determine the

need for continued secure detention of the child. At the

hearing, the court shall make the required findings in writing

to extend the period of secure detention. If the court extends



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12 the time period for secure detention care, it must ensure an  
13 adjudicatory hearing for the case commences as soon as is  
14 reasonably possible considering the totality of the  
15 circumstances. The court shall prioritize the efficient  
16 disposition of cases in which the child has served 60 or more  
17 days in secure detention care.

18 (c) A prolific juvenile offender under s. 985.255(1)(f)  
19 shall be placed on supervised release detention care with  
20 electronic monitoring or in secure detention care under a  
21 special detention order until disposition. If secure detention  
22 care is ordered by the court, it must be authorized under this  
23 part and may not exceed:

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

27 2. Fifteen days after the entry of an order of  
28 adjudication.

29  
30 As used in this paragraph, the term "disposition" means a  
31 declination to file under s. 985.15(1)(h), the entry of nolle  
32 prosequi for the charges, the filing of an indictment under s.  
33 985.56 or an information under s. 985.557, a dismissal of the  
34 case, or an order of final disposition by the court.

35 (d) A prolific juvenile offender under s. 985.255(1)(f) who  
36 is taken into custody for a violation of the conditions of his  
37 or her supervised release detention must be held in secure  
38 detention until a detention hearing is held.

39 (3) Except as provided in subsection (2), a child may not  
40 be held in detention care for more than 15 days after following



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41 the entry of an order of adjudication.

42 (4) ~~(a)~~ The time limits in subparagraph (2) (a)2. subsections  
43 ~~(2)~~ and subsection (3) do not include periods of delay resulting  
44 from a continuance granted by the court for cause on motion of  
45 the child or his or her counsel or of the state. Upon the  
46 issuance of an order granting a continuance for cause on a  
47 motion by either the child, the child's counsel, or the state,  
48 the court shall conduct a hearing at the end of each 72-hour  
49 period, excluding Saturdays, Sundays, and legal holidays, to  
50 determine the need for continued secure detention of the child  
51 and the need for further continuance of proceedings for the  
52 child or the state.

53 ~~(b) The period for supervised release detention care under~~  
54 ~~this section is tolled on the date that the department or a law~~  
55 ~~enforcement officer alleges that the child has violated a~~  
56 ~~condition of the child's supervised release detention care until~~  
57 ~~the court enters a ruling on the violation. Notwithstanding the~~  
58 ~~tolling of supervised release detention care, the court retains~~  
59 ~~jurisdiction over the child for a violation of a condition of~~  
60 ~~supervised release detention care during the tolling period. If~~  
61 ~~the court finds that a child has violated his or her supervised~~  
62 ~~release detention care, the number of days that the child served~~  
63 ~~in any type of detention care before commission of the violation~~  
64 ~~shall be excluded from the time limits under subsections (2) and~~  
65 ~~(3).~~

66 (7) Any electronic monitoring ordered by a court as a  
67 condition of supervised release detention care under this  
68 section may be supervised by the department, a law enforcement  
69 agency, or the department and a law enforcement agency working



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70 in partnership. However, this subsection does not require a law  
71 enforcement agency to supervise a child placed on electronic  
72 monitoring, and it does not authorize a law enforcement agency  
73 to charge a child, or a child's parent or guardian, for  
74 electronic

75  
76 ===== T I T L E A M E N D M E N T =====

77 And the title is amended as follows:

78       Delete line 23

79 and insert:

80       electronic monitoring; providing construction;  
81       providing an effective date.