

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	_____	(Y/N)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

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

Amendment (with title amendment)

Between lines 429 and 430, insert:

Section 9. Section 985.6865, Florida Statutes, is amended to read:

985.6865 Juvenile detention costs.—

(1) As used in this section, the term:

(a) "Detention care" means secure detention and respite beds for juveniles charged with a domestic violence crime.

(b) "Fiscally constrained county" means a county within a rural area of opportunity as designated by the Governor pursuant to s. 288.0656 or each county for which the value of a mill will raise no more than \$5 million in revenue, based on the certified school taxable value certified pursuant to s. 1011.62(4)(a)1.a.,

Amendment No.1

17 from the previous July 1.

18 (c) "Total shared detention costs" means the amount of
19 funds expended by the department for the costs of detention care
20 for the prior fiscal year. This amount includes the most recent
21 actual certify forward amounts minus any funds it expends on
22 detention care for juveniles residing in fiscally constrained
23 counties or out of state.

24 (2) Annually by July 15, the department shall calculate
25 and provide to each county that is not a fiscally constrained
26 county and that does not provide its own detention care for
27 juveniles its annual percentage share by dividing the total
28 number of detention days for juveniles residing in the county
29 for the most recently completed 12-month period by the total
30 number of detention days for juveniles in all counties that are
31 not fiscally constrained counties during the same period. The
32 annual percentage share of each county that is not a fiscally
33 constrained county and that does not provide its own detention
34 care for juveniles must be multiplied by 50 percent of the total
35 shared detention costs to determine that county's share of
36 detention costs. Beginning August 1, each such county shall pay
37 to the department its share of detention costs, which shall be
38 paid in 12 equal payments due on the first day of each month.
39 The state shall pay the remaining actual costs of detention
40 care.

41 (3) Each quarter, the department shall review county

Amendment No.1

42 juvenile detention payments to ensure that counties fulfill
43 their financial responsibilities required under this section. If
44 the department determines that a county has not met its
45 obligations, the department must direct the Department of
46 Revenue to deduct the amount owed to the department from the
47 funds provided to the county under s. 218.23. The Department of
48 Revenue shall transfer the funds withheld into the Shared
49 County/State Juvenile Detention Trust Fund.

50 (4) As an assurance to holders of bonds issued by counties
51 before July 1 of each year, for which distributions made
52 pursuant to s. 218.23 are pledged, or bonds issued to refund
53 such bonds which mature no later than the bonds they refunded
54 and which result in a reduction of debt service payable in each
55 fiscal year, the amount available for distribution to a county
56 shall remain as provided by law and continue to be subject to
57 any lien or claim on behalf of the bondholders. The Department
58 of Revenue must ensure, based on information provided by an
59 affected county, that any reduction in amounts distributed
60 pursuant to subsection (3) does not reduce the amount of
61 distribution to a county below the amount necessary for the
62 timely payment of principal and interest when due on the bonds
63 and the amount necessary to comply with any covenant under the
64 bond resolution or other documents relating to the issuance of
65 the bonds. If a reduction to a county's monthly distribution
66 must be decreased in order to comply with this section, the

Amendment No.1

67 Department of Revenue must notify the department of the amount
68 of the decrease, and the department must send a bill for payment
69 of such amount to the affected county.

70 (5) The state shall pay all costs of detention care for
71 juveniles residing in a fiscally constrained county and for
72 juveniles residing out of state. The state shall pay all costs
73 of detention care for juveniles housed in state detention
74 centers from counties that provide their own detention care for
75 juveniles.

76 ~~(6)(4)~~ Each county that is not a fiscally constrained
77 county and that does not provide its own detention care for
78 juveniles shall incorporate into its annual county budget
79 sufficient funds to pay its annual percentage share of the total
80 shared detention costs required by subsection (2).

81 ~~(7)(5)~~ Funds paid by the counties to the department
82 pursuant to this section must be deposited into the Shared
83 County/State Juvenile Detention Trust Fund.

84 ~~(6) The department shall determine each quarter whether~~
85 ~~the counties are remitting funds as required by this section.~~

86 ~~(8)(7)~~ Funds received from counties pursuant to this
87 section are not subject to the service charges provided in s.
88 215.20.

89 ~~(9)(8)~~ The department may adopt rules to administer this
90 section.

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Amendment No.1

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

Between lines 24 and 25, insert:
amending s. 985.6865, F.S.; requiring the Department
of Juvenile Justice to direct the Department of
Revenue to deduct specified amounts owed to the
Department of Juvenile Justice upon a certain
determination; requiring the Department of Revenue to
transfer such funds into a certain trust fund;
specifying requirements relating to such reductions in
amounts distributed to counties;