

1                   A bill to be entitled  
2       An act relating to juvenile justice; amending s.  
3       985.455, F.S.; requiring the court to determine a  
4       minimum period of time for a child to remain in a  
5       commitment program; requiring the child to remain in  
6       the program until completion; authorizing a specified  
7       minimum period of time for a minimum-risk  
8       nonresidential commitment for a misdemeanor of the  
9       second degree; requiring the child to have an  
10      objective performance-based treatment plan while in  
11      the program; amending s. 985.465, F.S.; reducing the  
12      minimum required age for a child to be committed to a  
13      maximum-risk residential facility for murder or  
14      manslaughter; providing an effective date.

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16   Be It Enacted by the Legislature of the State of Florida:

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18       **Section 1. Subsection (3) of section 985.455, Florida**  
19 **Statutes, is amended to read:**

20       985.455 Other dispositional issues.—

21       (3) Any commitment of a delinquent child to the department  
22      must require the court to determine a minimum ~~be for an~~  
23      ~~indeterminate~~ period of time for the child to remain in the  
24      commitment program, which may include periods of temporary  
25      ~~release~~; however, the child must remain in the commitment

26 program until he or she completes the program. The minimum  
27 period of time may not exceed the maximum term of imprisonment  
28 that an adult may serve for the same offense, except that the  
29 minimum period of time for a minimum-risk nonresidential  
30 commitment for an offense that is a misdemeanor of the second  
31 degree may be for a period not to exceed 6 months. The child  
32 shall have an objective performance-based treatment plan while  
33 ~~The duration of the child's placement in the~~ a commitment  
34 ~~program of any restrictiveness level shall be based on objective~~  
35 ~~performance-based treatment planning.~~ The child's treatment plan  
36 progress and adjustment-related issues shall be reported to the  
37 court quarterly, unless the court requests monthly reports. If  
38 the child is under the jurisdiction of a dependency court, the  
39 court may receive and consider any information provided by the  
40 Statewide Guardian ad Litem Office or the child's attorney ad  
41 litem, if one is appointed. The child's length of stay in a  
42 commitment program may be extended if the child fails to comply  
43 with or participate in treatment activities. ~~The child's length~~  
44 ~~of stay in the program shall not be extended for purposes of~~  
45 ~~sanction or punishment.~~ Any temporary release from such program  
46 must be approved by the court. Any child so committed may be  
47 discharged from institutional confinement or a program upon the  
48 direction of the department with the concurrence of the court.  
49 The child's treatment plan progress and adjustment-related  
50 issues must be communicated to the court at the time the

51 department requests the court to consider releasing the child  
52 from the commitment program. The department shall give the court  
53 that committed the child to the department reasonable notice, in  
54 writing, of its desire to discharge the child from a commitment  
55 facility. The court that committed the child may thereafter  
56 accept or reject the request. If the court does not respond  
57 within 10 days after receipt of the notice, the request of the  
58 department shall be deemed granted. This section does not limit  
59 the department's authority to revoke a child's temporary release  
60 status and return the child to a commitment facility for any  
61 violation of the terms and conditions of the temporary release.

62 **Section 2. Subsections (2), (3), and (4) of section**  
63 **985.465, Florida Statutes, are renumbered as subsections (3),**  
64 **(4), and (5), respectively, subsection (1) is amended, and a new**  
65 **subsection (2) is added to that section, to read:**

66 985.465 Maximum-risk residential facilities.—A maximum-  
67 risk residential facility is a physically secure residential  
68 commitment program with a designated length of stay from 18  
69 months to 36 months, primarily serving children 13 years of age  
70 to 19 years of age or until the jurisdiction of the court  
71 expires. Each child committed to this level must meet one of the  
72 following criteria:

73 (1) The child is at least 13 years of age at the time of  
74 the disposition for the current offense and has been adjudicated  
75 on the current offense for:

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(a) Arson;  
 (b) Sexual battery;  
 (c) Robbery;  
 (d) Kidnapping;  
 (e) Aggravated child abuse;  
 (f) Aggravated assault;  
 (g) Aggravated stalking;  
~~(h) Murder;~~  
~~(i) Manslaughter;~~  
(h)(j) Unlawful throwing, placing, or discharging of a  
 destructive device or bomb;  
(i)(k) Armed burglary;  
(j)(l) Aggravated battery;  
(k)(m) Carjacking;  
(l)(n) Home-invasion robbery;  
(m)(o) Burglary with an assault or battery;  
(n)(p) Any lewd or lascivious offense committed upon or in  
 the presence of a person less than 16 years of age; or  
(o)(q) Carrying, displaying, using, threatening to use, or  
 attempting to use a weapon or firearm during the commission of a  
 felony.  
(2) The child is at least 10 years of age at the time of  
the disposition for the current offense and has been adjudicated  
on the current offense for:  
(a) Murder; or

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101        (b)   Manslaughter.

102        **Section 3.**   This act shall take effect July 1, 2026.