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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/14/2017	.	
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Appropriations Subcommittee on Criminal and Civil Justice
(Latvala) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (3) of section 382.0255, Florida
Statutes, is amended to read:

382.0255 Fees.—

(3) Fees shall be established by rule. However, until rules
are adopted, the fees assessed pursuant to this section shall be
the minimum fees cited. The fees established by rule must be



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11 sufficient to meet the cost of providing the service. All fees
12 shall be paid by the person requesting the record, are due and
13 payable at the time services are requested, and are
14 nonrefundable, except that, when a search is conducted and no
15 vital record is found, any fees paid for additional certified
16 copies shall be refunded. The department may waive all or part
17 of the fees required under this section for any government
18 entity. The department shall waive all fees required under this
19 section for a certified copy of a birth certificate issued for
20 purposes of an inmate acquiring a state identification card
21 before release pursuant to s. 944.605(7) and for a juvenile
22 offender who is in the custody or under the supervision of the
23 Department of Juvenile Justice and receiving services under s.
24 985.461.

25 Section 2. Subsection (1) of section 985.25, Florida
26 Statutes, is amended to read:

27 985.25 Detention intake.—

28 (1) The department shall receive custody of a child who has
29 been taken into custody from the law enforcement agency or court
30 and shall review the facts in the law enforcement report or
31 probable cause affidavit and make such further inquiry as may be
32 necessary to determine whether detention care is appropriate.

33 (a) During the period of time from the taking of the child
34 into custody to the date of the detention hearing, the initial
35 decision as to the child's placement into ~~secure or nonsecure~~
36 detention care shall be made by the department under ss. 985.24
37 and 985.245(1).

38 (b) The department shall base the decision whether to place
39 the child into ~~secure or nonsecure~~ detention care on an



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40 assessment of risk in accordance with the risk assessment
41 instrument and procedures developed by the department under s.
42 985.245, except that. However, a child shall be placed in secure
43 detention care until the child's detention hearing if the child
44 meets the criteria specified in s. 985.255(1)(j), is charged
45 with possessing or discharging a firearm on school property in
46 violation of s. 790.115, or shall be placed in secure detention
47 care. A child who has been taken into custody on three or more
48 separate occasions within a 60-day period shall be placed in
49 secure detention care until the child's detention hearing.

50 (c) If the final score on the child's risk assessment
51 instrument indicates detention care is appropriate, but the
52 department otherwise determines the child should be released,
53 the department shall contact the state attorney, who may
54 authorize release.

55 (d) If the final score on the risk assessment instrument
56 indicates detention is not appropriate, the child may be
57 released by the department in accordance with ss. 985.115 and
58 985.13.

59
60 Under no circumstances shall the department or the state
61 attorney or law enforcement officer authorize the detention of
62 any child in a jail or other facility intended or used for the
63 detention of adults, without an order of the court.

64 Section 3. Subsections (1) and (3) of section 985.255,
65 Florida Statutes, are amended to read:

66 985.255 Detention criteria; detention hearing.—

67 (1) Subject to s. 985.25(1), a child taken into custody and
68 placed into ~~secure or nonsecure~~ detention care shall be given a



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69 hearing within 24 hours after being taken into custody. At the
70 hearing, the court may order continued detention if:

71 (a) The child is alleged to be an escapee from a
72 residential commitment program; or an absconder from a
73 nonresidential commitment program, a probation program, or
74 conditional release supervision; or is alleged to have escaped
75 while being lawfully transported to or from a residential
76 commitment program.

77 (b) The child is wanted in another jurisdiction for an
78 offense which, if committed by an adult, would be a felony.

79 (c) The child is charged with a delinquent act or violation
80 of law and requests in writing through legal counsel to be
81 detained for protection from an imminent physical threat to his
82 or her personal safety.

83 (d) The child is charged with committing an offense of
84 domestic violence as defined in s. 741.28 and is detained as
85 provided in subsection (2).

86 (e) The child is charged with possession of or discharging
87 a firearm on school property in violation of s. 790.115 or the
88 illegal possession of a firearm.

89 (f) The child is charged with a capital felony, a life
90 felony, a felony of the first degree, a felony of the second
91 degree that does not involve a violation of chapter 893, or a
92 felony of the third degree that is also a crime of violence,
93 including any such offense involving the use or possession of a
94 firearm.

95 (g) The child is charged with any second degree or third
96 degree felony involving a violation of chapter 893 or any third
97 degree felony that is not also a crime of violence, and the



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98 child:

99 1. Has a record of failure to appear at court hearings
100 after being properly notified in accordance with the Rules of
101 Juvenile Procedure;

102 2. Has a record of law violations prior to court hearings;

103 3. Has already been detained or has been released and is
104 awaiting final disposition of the case;

105 4. Has a record of violent conduct resulting in physical
106 injury to others; or

107 5. Is found to have been in possession of a firearm.

108 (h) The child is alleged to have violated the conditions of
109 the child's probation or conditional release supervision.

110 However, a child detained under this paragraph may be held only
111 in a consequence unit as provided in s. 985.439. If a
112 consequence unit is not available, the child shall be placed on
113 nonsecure detention with electronic monitoring.

114 (i) The child is detained on a judicial order for failure
115 to appear and has previously willfully failed to appear, after
116 proper notice:

117 1. For an adjudicatory hearing on the same case regardless
118 of the results of the risk assessment instrument; or

119 2. At two or more court hearings of any nature on the same
120 case regardless of the results of the risk assessment
121 instrument.

122

123 A child may be held in secure detention for up to 72 hours in
124 advance of the next scheduled court hearing pursuant to this
125 paragraph. The child's failure to keep the clerk of court and
126 defense counsel informed of a current and valid mailing address



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127 where the child will receive notice to appear at court
128 proceedings does not provide an adequate ground for excusal of
129 the child's nonappearance at the hearings.

130 (j) The child is a prolific juvenile offender. A child is a
131 prolific juvenile offender if the child:

132 1. Is charged with a delinquent act that would be a felony
133 if committed by an adult;

134 2. Has been adjudicated or had adjudication withheld for a
135 felony offense, or a delinquent act that would be a felony if
136 committed by an adult, before the charge under subparagraph 1.;
137 and

138 3. In addition to meeting the requirements of subparagraphs
139 1. and 2., has five or more of any of the following, at least
140 three of which must have been for felony offenses or delinquent
141 acts that would have been felonies if committed by an adult:

142 a. An arrest event for which a disposition, as defined in
143 s. 985.26, has not been entered;

144 b. An adjudication; or

145 c. An adjudication withheld.

146
147 As used in this subparagraph, the term "arrest event" means an
148 arrest or referral for one or more criminal offenses or
149 delinquent acts arising out of the same episode, act, or
150 transaction.

151 (3) (a) The purpose of the detention hearing required under
152 subsection (1) is to determine the existence of probable cause
153 that the child has committed the delinquent act or violation of
154 law that he or she is charged with and the need for continued
155 detention. Unless a child is detained under paragraph (1) (d) or



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156 paragraph (1)(e), the court shall use the results of the risk
157 assessment performed by the department and, based on the
158 criteria in subsection (1), shall determine the need for
159 continued detention. If a child is a prolific juvenile offender
160 who is detained under s. 985.26(2)(c), the court shall use the
161 results of the risk assessment performed by the department and
162 the criteria in subsection (1) or subsection (2) only to
163 determine whether the prolific juvenile offender should be held
164 in secure detention.

165 (b) If the court orders a placement more restrictive than
166 indicated by the results of the risk assessment instrument, the
167 court shall state, in writing, clear and convincing reasons for
168 such placement.

169 (c) Except as provided in s. 790.22(8) or ~~in~~ s. 985.27,
170 when a child is placed into ~~secure or nonsecure~~ detention care,
171 or into a respite home or other placement pursuant to a court
172 order following a hearing, the court order must include specific
173 instructions that direct the release of the child from such
174 placement no later than 5 p.m. on the last day of the detention
175 period specified in s. 985.26 or s. 985.27, whichever is
176 applicable, unless the requirements of such applicable provision
177 have been met or an order of continuance has been granted under
178 s. 985.26(4). If the court order does not include a release
179 date, the release date shall be requested from the court on the
180 same date that the child is placed in detention care. If a
181 subsequent hearing is needed to provide additional information
182 to the court for safety planning, the initial order placing the
183 child in detention care shall reflect the next detention review
184 hearing, which shall be held within 3 calendar days after the



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185 child's initial detention placement.

186 Section 4. Subsections (1) through (4) of section 985.26,
187 Florida Statutes, are amended to read:

188 985.26 Length of detention.—

189 (1) A child may not be placed into or held in ~~secure or~~
190 ~~nonsecure~~ detention care for longer than 24 hours unless the
191 court orders such detention care, and the order includes
192 specific instructions that direct the release of the child from
193 such detention care, in accordance with s. 985.255. The order
194 shall be a final order, reviewable by appeal under s. 985.534
195 and the Florida Rules of Appellate Procedure. Appeals of such
196 orders shall take precedence over other appeals and other
197 pending matters.

198 (2) (a) Except as provided in paragraph (b) or paragraph
199 (c), a child may not be held in ~~secure or nonsecure~~ detention
200 care under a special detention order for more than 21 days
201 unless an adjudicatory hearing for the case has been commenced
202 in good faith by the court.

203 (b) However, Upon good cause being shown that the nature of
204 the charge requires additional time for the prosecution or
205 defense of the case, the court may extend the length of
206 detention for an additional 9 days if the child is charged with
207 an offense that would be, if committed by an adult, a capital
208 felony, a life felony, a felony of the first degree, or a felony
209 of the second degree involving violence against any individual.

210 (c) A prolific juvenile offender under s. 985.255(1)(j)
211 shall be placed on nonsecure detention care with electronic
212 monitoring or in secure detention care under a special detention
213 order until disposition. If secure detention care is ordered by



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214 the court, it must be authorized under this part and may not
215 exceed:

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

219 2. Fifteen days after the entry of an order of
220 adjudication.

221
222 As used in this paragraph, the term "disposition" means a
223 declination to file under s. 985.15(1)(h), the entry of nolle
224 prosequi for the charges, the filing of an indictment under s.
225 985.56 or an information under s. 985.557, a dismissal of the
226 case, or an order of final disposition by the court.

227 (3) Except as provided in subsection (2), a child may not
228 be held in ~~secure or nonsecure~~ detention care for more than 15
229 days following the entry of an order of adjudication.

230 (4) (a) The time limits in subsections (2) and (3) do not
231 include periods of delay resulting from a continuance granted by
232 the court for cause on motion of the child or his or her counsel
233 or of the state. Upon the issuance of an order granting a
234 continuance for cause on a motion by either the child, the
235 child's counsel, or the state, the court shall conduct a hearing
236 at the end of each 72-hour period, excluding Saturdays, Sundays,
237 and legal holidays, to determine the need for continued
238 detention of the child and the need for further continuance of
239 proceedings for the child or the state.

240 (b) The period for nonsecure detention care under this
241 section is tolled on the date that the department or a law
242 enforcement officer alleges that the child has violated a



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243 condition of the child's nonsecure detention care until the
244 court enters a ruling on the violation. Notwithstanding the
245 tolling of nonsecure detention care, the court retains
246 jurisdiction over the child for a violation of a condition of
247 nonsecure detention care during the tolling period. If the court
248 finds that a child has violated his or her nonsecure detention
249 care, the number of days that the child served in any type of
250 detention care before commission of the violation shall be
251 excluded from the time limits under subsections (2) and (3).

252 Section 5. Subsection (2) of section 985.265, Florida
253 Statutes, is amended to read:

254 985.265 Detention transfer and release; education; adult
255 jails.-

256 (2) If a child is on release status and not detained under
257 this part, the child may be placed into ~~secure or nonsecure~~
258 detention care only pursuant to a court hearing in which the
259 original risk assessment instrument and the newly discovered
260 evidence or changed circumstances are introduced into evidence
261 with a rescored risk assessment instrument.

262 Section 6. Section 985.27, Florida Statutes, is amended to
263 read:

264 985.27 Postdisposition detention while awaiting residential
265 commitment placement.-

266 ~~(1)~~ The court must place all children who are adjudicated
267 and awaiting placement in a nonsecure, high-risk, or maximum-
268 risk residential commitment program in secure detention care
269 until the placement or commitment is accomplished. ~~Children who~~
270 ~~are in nonsecure detention care may be placed on electronic~~
271 ~~monitoring~~.-



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272 ~~(a) A child who is awaiting placement in a nonsecure~~
273 ~~residential program must be removed from detention within 5~~
274 ~~days, excluding Saturdays, Sundays, and legal holidays. Any~~
275 ~~child held in secure detention during the 5 days must meet~~
276 ~~detention admission criteria under this part. The department may~~
277 ~~seek an order from the court authorizing continued detention for~~
278 ~~a specific period of time necessary for the appropriate~~
279 ~~residential placement of the child. However, such continued~~
280 ~~detention in secure detention care may not exceed 15 days after~~
281 ~~entry of the commitment order, excluding Saturdays, Sundays, and~~
282 ~~legal holidays, and except as otherwise provided in this~~
283 ~~section. A child who is placed in nonsecure detention care or~~
284 ~~nonsecure detention care with electronic monitoring, while~~
285 ~~awaiting placement in a nonsecure residential program, may be~~
286 ~~held in secure detention care for 5 days, if the child violates~~
287 ~~the conditions of the nonsecure detention care or the electronic~~
288 ~~monitoring agreement. For any subsequent violation, the court~~
289 ~~may impose an additional 5 days in secure detention care.~~

290 ~~(b) If the child is committed to a high-risk residential~~
291 ~~program, the child must be held in secure detention care until~~
292 ~~placement or commitment is accomplished.~~

293 ~~(c) If the child is committed to a maximum-risk residential~~
294 ~~program, the child must be held in secure detention care until~~
295 ~~placement or commitment is accomplished.~~

296 ~~(2) Regardless of detention status, a child being~~
297 ~~transported by the department to a residential commitment~~
298 ~~facility of the department may be placed in secure detention~~
299 ~~overnight, not to exceed a 24-hour period, for the specific~~
300 ~~purpose of ensuring the safe delivery of the child to his or her~~



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301 ~~residential commitment program, court, appointment, transfer, or~~
302 ~~release.~~

303 Section 7. Subsection (1) of section 985.35, Florida
304 Statutes, is amended to read:

305 985.35 Adjudicatory hearings; withheld adjudications;
306 orders of adjudication.—

307 (1) (a) Except as provided in paragraph (b), the
308 adjudicatory hearing must be held as soon as practicable after
309 the petition alleging that a child has committed a delinquent
310 act or violation of law is filed and in accordance with the
311 Florida Rules of Juvenile Procedure; but reasonable delay for
312 the purpose of investigation, discovery, or procuring counsel or
313 witnesses shall be granted. If the child is being detained, the
314 time limitations in s. 985.26(2) and (3) apply.

315 (b) If the child is a prolific juvenile offender under s.
316 985.255(1) (j), the adjudicatory hearing must be held within 45
317 days after the child is taken into custody unless a delay is
318 requested by the child.

319 Section 8. Subsection (1) of section 985.514, Florida
320 Statutes, is amended to read:

321 985.514 Responsibility for cost of care; fees.—

322 (1) When any child is placed into ~~secure or nonsecure~~
323 detention care or into other placement for the purpose of being
324 supervised by the department pursuant to a court order following
325 a detention hearing, the court shall order the child's parents
326 to pay fees to the department as provided in s. 985.039.

327 Section 9. For the purpose of incorporating the amendments
328 made by this act to sections 985.25, 985.255, and 985.26,
329 Florida Statutes, in references thereto, subsection (8) of



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330 section 790.22, Florida Statutes, is reenacted to read:
331 790.22 Use of BB guns, air or gas-operated guns, or
332 electric weapons or devices by minor under 16; limitation;
333 possession of firearms by minor under 18 prohibited; penalties.-
334 (8) Notwithstanding s. 985.24 or s. 985.25(1), if a minor
335 is charged with an offense that involves the use or possession
336 of a firearm, including a violation of subsection (3), or is
337 charged for any offense during the commission of which the minor
338 possessed a firearm, the minor shall be detained in secure
339 detention, unless the state attorney authorizes the release of
340 the minor, and shall be given a hearing within 24 hours after
341 being taken into custody. At the hearing, the court may order
342 that the minor continue to be held in secure detention in
343 accordance with the applicable time periods specified in s.
344 985.26(1)-(5), if the court finds that the minor meets the
345 criteria specified in s. 985.255, or if the court finds by clear
346 and convincing evidence that the minor is a clear and present
347 danger to himself or herself or the community. The Department of
348 Juvenile Justice shall prepare a form for all minors charged
349 under this subsection which states the period of detention and
350 the relevant demographic information, including, but not limited
351 to, the gender, age, and race of the minor; whether or not the
352 minor was represented by private counsel or a public defender;
353 the current offense; and the minor's complete prior record,
354 including any pending cases. The form shall be provided to the
355 judge for determining whether the minor should be continued in
356 secure detention under this subsection. An order placing a minor
357 in secure detention because the minor is a clear and present
358 danger to himself or herself or the community must be in



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359 writing, must specify the need for detention and the benefits
360 derived by the minor or the community by placing the minor in
361 secure detention, and must include a copy of the form provided
362 by the department.

363 Section 10. For the purpose of incorporating the amendments
364 made by this act to sections 985.255 and 985.26, Florida
365 Statutes, in references thereto, subsection (2) of section
366 985.115, Florida Statutes, is reenacted to read:

367 985.115 Release or delivery from custody.—

368 (2) Unless otherwise ordered by the court under s. 985.255
369 or s. 985.26, and unless there is a need to hold the child, a
370 person taking a child into custody shall attempt to release the
371 child as follows:

372 (a) To the child's parent, guardian, or legal custodian or,
373 if the child's parent, guardian, or legal custodian is
374 unavailable, unwilling, or unable to provide supervision for the
375 child, to any responsible adult. Prior to releasing the child to
376 a responsible adult, other than the parent, guardian, or legal
377 custodian, the person taking the child into custody may conduct
378 a criminal history background check of the person to whom the
379 child is to be released. If the person has a prior felony
380 conviction, or a conviction for child abuse, drug trafficking,
381 or prostitution, that person is not a responsible adult for the
382 purposes of this section. The person to whom the child is
383 released shall agree to inform the department or the person
384 releasing the child of the child's subsequent change of address
385 and to produce the child in court at such time as the court may
386 direct, and the child shall join in the agreement.

387 (b) Contingent upon specific appropriation, to a shelter



388 approved by the department or to an authorized agent.

389 (c) If the child is believed to be suffering from a serious
390 physical condition which requires either prompt diagnosis or
391 prompt treatment, to a law enforcement officer who shall deliver
392 the child to a hospital for necessary evaluation and treatment.

393 (d) If the child is believed to be mentally ill as defined
394 in s. 394.463(1), to a law enforcement officer who shall take
395 the child to a designated public receiving facility as defined
396 in s. 394.455 for examination under s. 394.463.

397 (e) If the child appears to be intoxicated and has
398 threatened, attempted, or inflicted physical harm on himself or
399 herself or another, or is incapacitated by substance abuse, to a
400 law enforcement officer who shall deliver the child to a
401 hospital, addictions receiving facility, or treatment resource.

402 (f) If available, to a juvenile assessment center equipped
403 and staffed to assume custody of the child for the purpose of
404 assessing the needs of the child in custody. The center may then
405 release or deliver the child under this section with a copy of
406 the assessment.

407 Section 11. For the purpose of incorporating the amendments
408 made by this act to sections 985.255 and 985.26, Florida
409 Statutes, in references thereto, subsection (2) of section
410 985.13, Florida Statutes, is reenacted to read:

411 985.13 Probable cause affidavits.—

412 (2) A person taking a child into custody who determines,
413 under part V, that the child should be detained or released to a
414 shelter designated by the department, shall make a reasonable
415 effort to immediately notify the parent, guardian, or legal
416 custodian of the child and shall, without unreasonable delay,



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417 deliver the child to the appropriate juvenile probation officer
418 or, if the court has so ordered under s. 985.255 or s. 985.26,
419 to a detention center or facility. Upon delivery of the child,
420 the person taking the child into custody shall make a written
421 report or probable cause affidavit to the appropriate juvenile
422 probation officer. Such written report or probable cause
423 affidavit must:

424 (a) Identify the child and, if known, the parents,
425 guardian, or legal custodian.

426 (b) Establish that the child was legally taken into
427 custody, with sufficient information to establish the
428 jurisdiction of the court and to make a prima facie showing that
429 the child has committed a violation of law.

430 Section 12. For the purpose of incorporating the amendment
431 made by this act to section 985.255, Florida Statutes, in a
432 reference thereto, paragraph (b) of subsection (2) of section
433 985.245, Florida Statutes, is reenacted to read:

434 985.245 Risk assessment instrument.—

435 (2)

436 (b) The risk assessment instrument shall take into
437 consideration, but need not be limited to, prior history of
438 failure to appear, prior offenses, offenses committed pending
439 adjudication, any unlawful possession of a firearm, theft of a
440 motor vehicle or possession of a stolen motor vehicle, and
441 probation status at the time the child is taken into custody.
442 The risk assessment instrument shall also take into
443 consideration appropriate aggravating and mitigating
444 circumstances, and shall be designed to target a narrower
445 population of children than s. 985.255. The risk assessment



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446 instrument shall also include any information concerning the
447 child's history of abuse and neglect. The risk assessment shall
448 indicate whether detention care is warranted, and, if detention
449 care is warranted, whether the child should be placed into
450 secure or nonsecure detention care.

451 Section 13. For the purpose of incorporating the amendment
452 made by this act to section 985.26, Florida Statutes, in a
453 reference thereto, subsection (2) of section 985.255, Florida
454 Statutes, is reenacted to read:

455 985.255 Detention criteria; detention hearing.—

456 (2) A child who is charged with committing an offense that
457 is classified as an act of domestic violence as defined in s.
458 741.28 and whose risk assessment instrument indicates secure
459 detention is not appropriate may be held in secure detention if
460 the court makes specific written findings that:

461 (a) Respite care for the child is not available.

462 (b) It is necessary to place the child in secure detention
463 in order to protect the victim from injury.

464
465 The child may not be held in secure detention under this
466 subsection for more than 48 hours unless ordered by the court.
467 After 48 hours, the court shall hold a hearing if the state
468 attorney or victim requests that secure detention be continued.
469 The child may continue to be held in detention care if the court
470 makes a specific, written finding that detention care is
471 necessary to protect the victim from injury. However, the child
472 may not be held in detention care beyond the time limits set
473 forth in this section or s. 985.26.

474 Section 14. For the purpose of incorporating the amendment



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475 made by this act to section 985.255, Florida Statutes, in a
476 reference thereto, subsection (1) of section 985.275, Florida
477 Statutes, is reenacted to read:

478 985.275 Detention of escapee or absconder on authority of
479 the department.—

480 (1) If an authorized agent of the department has reasonable
481 grounds to believe that any delinquent child committed to the
482 department has escaped from a residential commitment facility or
483 from being lawfully transported thereto or therefrom, or has
484 absconded from a nonresidential commitment facility, the agent
485 shall notify law enforcement and, if the offense would require
486 notification under chapter 960, notify the victim. The agent
487 shall make every reasonable effort as permitted within existing
488 resources provided to the department to locate the delinquent
489 child, and the child may be returned to the facility or, if it
490 is closer, to a detention center for return to the facility.
491 However, a child may not be held in detention longer than 24
492 hours, excluding Saturdays, Sundays, and legal holidays, unless
493 a special order so directing is made by the judge after a
494 detention hearing resulting in a finding that detention is
495 required based on the criteria in s. 985.255. The order shall
496 state the reasons for such finding. The reasons shall be
497 reviewable by appeal or in habeas corpus proceedings in the
498 district court of appeal.

499 Section 15. For the purpose of incorporating the amendment
500 made by this act to section 985.255, Florida Statutes, in a
501 reference thereto, subsection (6) of section 985.319, Florida
502 Statutes, is reenacted to read:

503 985.319 Process and service.—



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504 (6) If the petition alleges that the child has committed a
505 delinquent act or violation of law and the judge deems it
506 advisable to do so, under the criteria of s. 985.255, the judge
507 may, by endorsement upon the summons and after the entry of an
508 order in which valid reasons are specified, order the child to
509 be taken into custody immediately, and in such case the person
510 serving the summons shall immediately take the child into
511 custody.

512 Section 16. For the 2017-2018 fiscal year, the sums of
513 \$2,978,012 in recurring funds and \$2,978,012 in nonrecurring
514 funds from the General Revenue Fund are appropriated to the
515 Department of Juvenile Justice for the purpose of implementing
516 this act.

517 Section 17. This act shall take effect October 1, 2017.

518
519 ===== T I T L E A M E N D M E N T =====

520 And the title is amended as follows:

521 Delete everything before the enacting clause
522 and insert:

523 A bill to be entitled
524 An act relating to juvenile justice; amending s.
525 382.0255, F.S.; requiring the Department of Health to
526 waive fees for a birth certificate issued to certain
527 juvenile offenders; amending s. 985.25, F.S.; revising
528 terminology; requiring that a child who meets
529 specified criteria be placed in secure detention care
530 until the child's detention hearing; amending s.
531 985.255, F.S.; revising terminology; providing an
532 additional circumstance under which the court may



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533 order continued detention; providing criteria for a
534 child to be a prolific juvenile offender; defining the
535 term "arrest event"; specifying certain information
536 and criteria that may be considered by a court only
537 when determining whether a prolific juvenile offender
538 should be held in secure detention; conforming
539 provisions to changes made by the act; amending s.
540 985.26, F.S.; revising terminology; requiring the
541 court to place a prolific juvenile offender in certain
542 detention care under a special detention order until
543 disposition; specifying time limitations for secure
544 detention for a prolific juvenile offender; defining
545 the term "disposition"; providing for the tolling of
546 nonsecure detention care for an alleged violation of
547 such detention care; providing for the retention of
548 jurisdiction by the court over a child during the
549 tolling period; revising the calculation of detention
550 care days served if a child violates nonsecure
551 detention care; amending s. 985.265, F.S.; revising
552 terminology; amending s. 985.27, F.S.; requiring
553 secure detention for all children awaiting placement
554 in a residential commitment program until the
555 placement or commitment is accomplished; deleting
556 provisions specifying the maximum number of days a
557 child may be placed in secure detention under certain
558 circumstances; amending s. 985.35, F.S.; requiring the
559 adjudicatory hearing for a child who is a prolific
560 juvenile offender to be held within a specified period
561 unless such child requests a delay; amending s.



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562 985.514, F.S.; revising terminology; reenacting s.
563 790.22(8), F.S., relating to secure detention for
564 minors charged with an offense involving BB guns, air
565 or gas-operated guns, or electric weapons or devices,
566 to incorporate the amendments made by the act to ss.
567 985.25, 985.255, and 985.26, F.S., in references
568 thereto; reenacting s. 985.115(2), F.S., relating to
569 release or delivery from custody, to incorporate the
570 amendments made by the act to ss. 985.255 and 985.26,
571 F.S., in references thereto; reenacting s. 985.13(2),
572 F.S., relating to probable cause affidavits, to
573 incorporate the amendments made by the act to ss.
574 985.255 and 985.26, F.S., in references thereto;
575 reenacting s. 985.245(2)(b), F.S., relating to risk
576 assessment instruments, to incorporate the amendment
577 made by this act to s. 985.255, F.S., in a reference
578 thereto; reenacting s. 985.255(2), F.S., relating to
579 detention criteria and hearings, to incorporate the
580 amendment made by this act to s. 985.26, F.S., in a
581 reference thereto; reenacting s. 985.275(1), F.S.,
582 relating to detention of an escapee or absconder, to
583 incorporate the amendment made by this act to s.
584 985.255, F.S., in a reference thereto; reenacting s.
585 985.319(6), F.S., relating to process and service, to
586 incorporate the amendment made by this act to s.
587 985.255, F.S., in a reference thereto; providing an
588 appropriation; providing an effective date.