

**Committee on Children, Families,
and Elder Affairs**

CS/HB 1249 — Treatment of Defendants Adjudicated Incompetent to Stand Trial

by Children, Families and Seniors Subcommittee and Rep. Persons-Mulicka and others
(CS/CS/SB 1600 by Appropriations Committee; Children, Families, and Elder Affairs
Committee; and Senator Bradley)

The bill amends s. 916.106, F.S., revising the definition of “forensic facility” to include separate and secure facilities that, in part, are contracted using funding from the Department of Children and Families (DCF), and to include a mental health facility serving forensic clients committed to the DCF that is operated by a community mental health provider through a contract that may be co-located in a county jail.

The bill may alleviate the waitlist for forensic treatment beds at existing facilities operated by the DCF by creating additional venues where individuals deemed incompetent to stand trial due to a mental illness, but who are likely to regain competence to proceed in the foreseeable future, can receive restoration treatment.

The DCF anticipates that the proposed language would also provide flexibility in identifying and securing community-based or jail-based competency restoration treatment for individuals who can be served in a less restrictive environment.

The bill is likely to have a negative indeterminate fiscal impact on the DCF and may have a positive fiscal impact on private sector entities.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 39-0; House 114-0