

Bill No. CS for CS for CS for SB 2192, 1st Eng.

Amendment No. ____

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Senator Burt moved the following amendment:

Senate Amendment (with title amendment)

On page 30, line 30, through page 32, lines 6, delete those lines

and insert:

Section 28. The Criminal Justice Estimating Conference, created under chapter 216, Florida Statutes, shall continually develop official information relating to the number of eligible discharges and the projected number of civil commitments pursuant to the civil proceedings provided in the Jimmy Ryce Act of 1998 under part V of chapter 394, Florida Statutes. Upon determination by the estimating conference that the projected estimates of sexual predators will exceed the current budgeted program capacity, the Department of Children and Family Services shall conduct a study of the program workload requirements through June 30, 2004, and make recommendations to the Executive Office of the Governor pertaining to the facility, staffing, and program service needs that will comply with the statutory provisions

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1 of part V of chapter 394, Florida Statutes. The Governor shall
2 determine the resources required to ensure public safety and,
3 if justified, shall direct the Department of Children and
4 Family Services to immediately contract with the Correctional
5 Privatization Commission, created under chapter 957, Florida
6 Statutes, to develop and issue a request for proposals for the
7 financing, designing, constructing, acquiring, owning,
8 leasing, and operating of a treatment facility, to be called
9 the Jimmy Ryce Treatment Facility, to house and rehabilitate
10 individuals committed pursuant to the provisions in part V of
11 chapter 394, Florida Statutes. The Department and the
12 Commission shall jointly determine the feasibility of using an
13 existing privately owned or state-owned facility prior to the
14 issuance of any requests for proposals. If a determination is
15 made that a new facility is necessary, the facility shall be
16 designed with an initial capacity to address the workload
17 projections developed by the estimating conference, including
18 individuals who are in detention status and awaiting judicial
19 proceedings. The facility shall also be designed with
20 expansion capabilities to serve additional individuals
21 committed under the Jimmy Ryce Act of 1998. In order to avoid
22 releases of sexual predators into the community due to a lack
23 of capacity, and if a determination is made that a new
24 facility is necessary, the Department and the Commission shall
25 enter into contracts as soon as practicable with a private
26 provider for the financing, designing, constructing,
27 acquiring, owning, leasing, and operating of the Jimmy Ryce
28 Treatment Facility. The operations contract shall be for an
29 initial period of three years with options to renew. The
30 Commission may provide contract monitoring and auditing of the
31 operation of the facility by the contractor in accordance with

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1 standards established by the Department of Children and Family
2 Services. The Commission shall invite proposers to present
3 various financing options in their proposals and shall
4 determine which financing mechanism is in the best interests
5 of the state. The selected contractor is authorized to enter
6 into a lease arrangement or other private financing, or to
7 sponsor the issuance of tax exempt bonds, certificates of
8 participation, or other public or private means to finance the
9 project. The state is authorized to enter into all such
10 agreements as are necessary including lease alternatives to
11 bring this project to operational and lease commencement.

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14 ===== T I T L E A M E N D M E N T =====
15 And the title is amended as follows:

16 On page 3, lines 16 through 26, delete those lines
17
18 and insert:

19 the Criminal Justice Estimating Conference to
20 continually develop official projections
21 relating to the number of discharges and
22 commitments; requiring the Department of
23 Children and Family Services to conduct a study
24 of workload and make recommendations to the
25 Governor; providing for the Governor to
26 determine necessary resources and direct the
27 Department of Children and Family Services to
28 immediately contract with the Correctional
29 Privatization Commission to develop and issue a
30 request for proposals for a facility to house
31 and rehabilitate persons detained or committed

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under the act if a new facility is needed;
providing for an initial contract period;
authorizing the Commission to provide contract
monitoring and auditing of the facility;
providing for financing options to be used by
the selected contractor; providing an effective