

hbd-24

Bill No. CS/CS/HB 617

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	

ORIGINAL STAMP BELOW

1
2
3
4
5
6
7
8
9

10

Representative(s) Harper offered the following:

11

12

Amendment (with title amendment)

13

remove from the bill: Everything after the enacting Clause

14

15

insert:

16

17

Section 1. Subsection (5) is added to section 944.1905, Florida Statutes, to read:

18

19

944.1905 Initial inmate classification; inmate reclassification.--The Department of Corrections shall classify inmates pursuant to an objective classification scheme. The initial inmate classification questionnaire and the inmate reclassification questionnaire must cover both aggravating and mitigating factors.

20

21

22

23

24

(5)(a) Notwithstanding any other provision of this section, the department shall assign to specific correctional facilities all inmates who are less than 18 years of age and who are not eligible for and have not been assigned to a facility for youthful offenders. Any such inmate who is less than 18 years of age shall be housed in a dormitory that is separate from inmates who are 18 years of age or older.

25

26

27

28

29

30

31

hbd-24

Bill No. CS/CS/HB 617

Amendment No. ____ (for drafter's use only)

1 Furthermore, the department shall provide any food service,
2 education, and recreation for such inmate separately from
3 inmates who are 18 years of age or older. The department shall
4 report to the Legislature on compliance with this paragraph by
5 April 1, 2002.

6 (b) Notwithstanding the requirements of s. 958.11, any
7 inmate who is less than 18 years of age, who was 15 years of
8 age or younger at the time of his or her offense, and who has
9 no prior juvenile adjudication must be placed in a facility
10 for youthful offenders until the inmate is 18 years of age. At
11 the discretion of the department, such an inmate may be placed
12 in a facility for youthful offenders until the inmate is 21
13 years of age.

14 (c) Any inmate who is assigned to a facility under
15 paragraph (a) or paragraph (b) shall be removed and reassigned
16 to the general inmate population if his or her behavior
17 threatens the safety of other inmates or correctional staff.

18 Section 2. Subsection (5) of section 921.0021, Florida
19 Statutes, is amended to read:

20 921.0021 Definitions.--As used in this chapter, for
21 any felony offense, except any capital felony, committed on or
22 after October 1, 1998, the term:

23 (5) "Prior record" means a conviction for a crime
24 committed by the offender, as an adult or a juvenile, prior to
25 the time of the primary offense. Convictions by federal,
26 out-of-state, military, or foreign courts, and convictions for
27 violations of county or municipal ordinances that incorporate
28 by reference a penalty under state law, are included in the
29 offender's prior record. Convictions for offenses committed
30 by the offender more than 10 years before the primary offense
31 are not included in the offender's prior record if the

hbd-24

Bill No. CS/CS/HB 617

Amendment No. ____ (for drafter's use only)

1 offender has not been convicted of any other crime for a
 2 period of 10 consecutive years from the most recent date of
 3 release from confinement, supervision, or sanction, whichever
 4 is later, to the date of the primary offense. Juvenile
 5 dispositions of offenses committed by the offender within 5 ~~3~~
 6 years before the primary offense are included in the
 7 offender's prior record when the offense would have been a
 8 crime had the offender been an adult rather than a juvenile.
 9 Juvenile dispositions of sexual offenses committed by the
 10 offender which were committed 5 ~~3~~ years or more before the
 11 primary offense are included in the offender's prior record if
 12 the offender has not maintained a conviction-free record,
 13 either as an adult or a juvenile, for a period of 5 ~~3~~
 14 consecutive years from the most recent date of release from
 15 confinement, supervision, or sanction, whichever is later, to
 16 the date of the primary offense.

17 Section 3. This act shall take effect July 1, 2001.

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

21 And the title is amended as follows:

22 remove from the title of the bill: the entire title

24 and insert in lieu thereof:

25 A bill to be entitled

26 An act relating to youthful offenders; amending
 27 s. 944.1905, F.S.; requiring that certain
 28 inmates who are less than a specified age be
 29 placed in specific correctional facilities and
 30 housed in separate dormitories; requiring that
 31 the Department of Corrections report to the

hbd-24

Bill No. CS/CS/HB 617

Amendment No. ____ (for drafter's use only)

1 Legislature on its compliance with housing
2 youthful offenders; requiring that certain
3 inmates who are less than a specified age and
4 who have no prior juvenile adjudication be
5 placed in facilities for youthful offenders;
6 providing for the reassignment of an inmate to
7 the general population if the inmate threatens
8 the safety of other inmates or correctional
9 staff; amending s. 944.1905, F.S.; requiring
10 that certain inmates who are less than a
11 specified age be placed in specific
12 correctional facilities and housed in separate
13 dormitories; requiring that the Department of
14 Corrections report to the Legislature on its
15 compliance with housing youthful offenders;
16 requiring that certain inmates who are less
17 than a specified age and who have no prior
18 juvenile adjudication be placed in facilities
19 for youthful offenders; providing for the
20 reassignment of an inmate to the general
21 population if the inmate threatens the safety
22 of other inmates or correctional staff;
23 amending s. 921.0021, F.S.; redefining the term
24 "prior record" to extend the time during which
25 the disposition of certain juvenile offenses
26 are included in an offender's record;
27 providing an effective date.

28
29
30
31