

CHAMBER ACTION

1 The Criminal Justice Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to corrections; amending s. 945.28, F.S.;
7 prohibiting the location of a probation and parole office
8 within a specified distance of certain schools and day
9 care center facilities; revising a limitation concerning
10 the location of probation and parole offices within a
11 specified distance of certain schools and deleting a
12 reference to day care center facilities from that
13 provision; providing for relocation of current probation
14 and parole offices not in compliance with this
15 requirement; creating s. 943.1301, F.S.; providing for
16 certification of county probation officers at the
17 discretion of the county governing body; amending s.
18 943.10, F.S.; providing a definition; providing an
19 effective date.

20
21 Be It Enacted by the Legislature of the State of Florida:

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23 Section 1. Section 945.28, Florida Statutes, is amended to
24 read:

25 945.28 Location ~~Selection~~ of probation or parole offices
26 ~~by the department; prohibitions; public notice.--~~

27 (1) ~~Beginning July 1, 1995,~~ Whenever the department is
28 going to enter into a contract for the lease or purchase of a
29 probation and parole office space to be used by the department,
30 the department shall provide notice, by publication in the
31 county in which the office space is to be located, in a
32 newspaper of general circulation in said county, 30 days prior
33 to signing any lease or purchasing any property to be used for
34 office space, that the department intends to lease or purchase
35 such property. The published notice shall include a telephone
36 number whereby interested members of the public may communicate
37 with the department with respect to any questions or input the
38 public may have with regard to the proposed lease or purchase.

39 (2) (a) A probation and parole office may not be located
40 within 1,000 feet of a school for children in grade 8 or lower
41 or a licensed day care center facility.

42 (b) When the site of the proposed probation and parole
43 office space is to be located within one-quarter ~~one-quarter~~
44 mile of a school for children in grades 9-12 ~~grade 12 or lower,~~
45 ~~licensed day care center facility,~~ park, playground, nursing
46 home, convalescent center, hospital, association for disabled
47 population, mental health center, youth center, group home for
48 disabled population or youth, or other place where children or a
49 population especially vulnerable to crime due to age or physical
50 or mental disability regularly congregates, the department shall

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51 provide written notification to the county or city administrator
52 in the county or city in which the office space is to be located
53 simultaneously with the newspaper publication.

54 Section 2. Any probation and parole office that does not
55 comply with the requirements of s. 945.28(2)(a), Florida
56 Statutes, as amended by this act, on the effective date of this
57 act shall have until August 1, 2006, or the expiration of its
58 current lease, whichever is earlier, to be relocated to a
59 location that complies with s. 945.28(2)(a), Florida Statutes,
60 as amended by this act.

61 Section 3. Section 943.1301, Florida Statutes, is created
62 to read:

63 943.1301 Certification of county probation officers.--At
64 the discretion of the governing body of a county, the county may
65 require the county's probation officers to be certified by the
66 commission and the department.

67 Section 4. Subsection (22) is added to section 943.10,
68 Florida Statutes, to read:

69 943.10 Definitions; ss. 943.085-943.255.--The following
70 words and phrases as used in ss. 943.085-943.255 are defined as
71 follows:

72 (22) "County probation officer" means a person who is
73 employed by a county whose primary responsibility is the
74 supervision and monitoring of offenders within the community.

75 Section 5. This act shall take effect July 1, 2006.