

By Senator Bradley

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1 A bill to be entitled
2 An act relating to juvenile detention costs; amending
3 s. 985.6015, F.S.; conforming provisions to changes
4 made by the act; amending s. 985.686, F.S.; defining
5 the term "actual cost"; revising the responsibilities
6 of specified counties and the state relating to
7 financial support for juvenile detention care;
8 requiring the Department of Juvenile Justice to
9 provide specified information to specified counties;
10 conforming provisions to changes made by the act;
11 deleting obsolete provisions; providing an effective
12 date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Subsection (2) of section 985.6015, Florida
17 Statutes, is amended to read:

18 985.6015 Shared County/State Juvenile Detention Trust
19 Fund.—

20 (2) The fund is established for use as a depository for
21 funds to be used for the costs of ~~pre-disposition~~ juvenile
22 detention. Moneys credited to the trust fund shall consist of
23 funds from the counties' share of the costs for ~~pre-disposition~~
24 juvenile detention.

25 Section 2. Section 985.686, Florida Statutes, is amended to
26 read:

27 985.686 Shared county and state responsibility for juvenile
28 detention.—

29 (1) It is the policy of this state that the state and the

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30 counties have a joint obligation, as provided in this section,
31 to contribute to the financial support of the detention care
32 provided for juveniles.

33 (2) As used in this section, the term:

34 (a) "Actual cost" means the funds that the department
35 expends for providing detention care less any funds that it
36 receives from the Grants and Donations Trust Fund and the
37 Federal Grants Trust Fund.

38 (b)~~(a)~~ "Detention care" means secure detention and respite
39 beds for juveniles charged with a domestic violence crime.

40 (c)~~(b)~~ "Fiscally constrained county" means a county within
41 a rural area of critical economic concern as designated by the
42 Governor pursuant to s. 288.0656 or each county for which the
43 value of a mill will raise no more than \$5 million in revenue,
44 based on the certified school taxable value certified pursuant
45 to s. 1011.62(4)(a)1.a., from the previous July 1.

46 (d) "Participating county" means a county that is not a
47 fiscally constrained county and that does not provide detention
48 care for juveniles or contract with another county to provide
49 such care.

50 (3) (a) Each participating county shall pay its share of the
51 total actual cost ~~costs~~ of providing detention care as
52 determined by the department pursuant to subsection

53 ~~(5), exclusive of the costs of any preadjudicatory nonmedical~~
54 ~~educational or therapeutic services and \$2.5 million provided~~
55 ~~for additional medical and mental health care at the detention~~
56 ~~centers, for juveniles for the period of time prior to final~~
57 ~~court disposition. The department shall develop an accounts~~
58 ~~payable system to allocate costs that are payable by the~~

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59 ~~counties.~~

60 (b) The state shall pay:

61 1. Fifty percent of the total actual cost of providing
62 detention care in participating counties as determined by the
63 department pursuant to subsection (5);

64 2. The actual cost of detention care for fiscally
65 constrained counties in the manner described in subsection (4);
66 and

67 3. The actual cost of providing detention care for
68 juveniles residing out of state.

69 ~~(4) Notwithstanding subsection (3), the state shall pay all~~
70 ~~costs of detention care for juveniles for which a fiscally~~
71 ~~constrained county would otherwise be billed.~~

72 ~~(a) By October 1, 2004, the department shall develop a~~
73 ~~methodology for determining the amount of each fiscally~~
74 ~~constrained county's costs of detention care for juveniles, for~~
75 ~~the period of time prior to final court disposition, which must~~
76 ~~be paid by the state. At a minimum, this methodology must~~
77 ~~consider the difference between the amount appropriated to the~~
78 ~~department for offsetting the costs associated with the~~
79 ~~assignment of juvenile pretrial detention expenses to the~~
80 ~~fiscally constrained county and the total estimated costs to the~~
81 ~~fiscally constrained county, for the fiscal year, of detention~~
82 ~~care for juveniles for the period of time prior to final court~~
83 ~~disposition.~~

84 ~~(b) Subject to legislative appropriation and based on the~~
85 ~~methodology developed under paragraph (a), the department shall~~
86 ~~provide funding to offset the actual cost ~~costs~~ to fiscally~~
87 ~~constrained counties of providing detention care for juveniles~~

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88 ~~for the period of time prior to final court disposition.~~ If
89 county matching funds are required by the department to
90 eliminate the difference ~~calculated under paragraph (a) or the~~
91 ~~difference~~ between the actual cost ~~costs~~ of the fiscally
92 constrained counties and the amount appropriated in small county
93 grants for use in mitigating such costs, that match amount must
94 be allocated proportionately among all fiscally constrained
95 counties.

96 (5) Each participating county shall incorporate into its
97 annual county budget sufficient funds to pay its share of the
98 actual cost ~~costs~~ of detention care for juveniles who ~~reside~~
99 resided in that county for the prior fiscal year ~~the period of~~
100 ~~time prior to final court disposition.~~ This amount shall be
101 ~~based upon the prior use of secure detention for juveniles who~~
102 ~~are residents of that county, as calculated by the department.~~
103 ~~Each county shall pay the estimated costs at the beginning of~~
104 ~~each month. Any difference between the estimated costs and~~
105 ~~actual costs shall be reconciled at the end of the state fiscal~~
106 ~~year.~~

107 (a) The department shall determine the actual cost of
108 detention care and the number of detention days used by each
109 county at the end of each fiscal year.

110 (b) By August 1 of each year, the department shall inform
111 each participating county of its percentage of detention care
112 use and the amount of its share of the actual cost of detention
113 care for the prior state fiscal year. Each such county shall pay
114 the department one-twelfth of its share of actual costs for the
115 prior state fiscal year by the first day of each month,
116 beginning on July 1 of the year following receipt of the

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117 information.

118 (c) The department shall calculate the percentage of
119 detention care use for each participating county by dividing the
120 total number of detention days for juveniles residing in the
121 county during the prior state fiscal year by the total number of
122 detention days for all juveniles residing in such counties for
123 the prior state fiscal year.

124 (d) The department shall calculate the share of actual
125 costs for each participating county by multiplying the county's
126 percentage of detention care use by 50 percent of the total
127 actual cost of detention care for all such counties.

128 (6) Each county shall pay to the department for deposit
129 into the Shared County/State Juvenile Detention Trust Fund its
130 share of the county's total actual cost ~~costs~~ for juvenile
131 detention, based upon calculations published by the department
132 with input from the counties.

133 (7) The Department of Juvenile Justice shall determine each
134 quarter whether the counties of this state are remitting to the
135 department their share of the cost ~~costs~~ of detention as
136 required by this section.

137 (8) The Department of Revenue and the counties shall
138 provide technical assistance as necessary to the Department of
139 Juvenile Justice in order to develop the most cost-effective
140 means of collection.

141 (9) Funds received from counties pursuant to this section
142 are not subject to the service charges provided in s. 215.20.

143 (10) This section does not apply to a ~~any~~ county that
144 provides detention care for preadjudicated juveniles or that
145 contracts with another county to provide detention care for

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146 preadjudicated juveniles.

147 (11) The department may adopt rules to administer this
148 section.

149 Section 3. This act shall take effect July 1, 2014.