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LEGISLATIVE ACTION

Senate

House

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Floor: WD

03/04/2022 10:27 AM

Senator Brandes moved the following:

Senate Amendment

Delete lines 83 - 148

and insert:

involving a weapon used ~~violence~~ against another ~~any~~ individual.
The court may continue to extend the period of secure detention
care in increments of up to 21 days each by conducting a hearing
before the expiration of the current period to determine the
need for continued secure detention of the child. At the
hearing, the court shall make the required findings in writing
to extend the period of secure detention. If the court extends



826086

12 the time period for secure detention care, it must ensure an
13 adjudicatory hearing for the case commences as soon as is
14 reasonably possible considering the totality of the
15 circumstances. The court shall prioritize the efficient
16 disposition of cases in which the child has served 60 or more
17 days in secure detention care.

18 (c) A prolific juvenile offender under s. 985.255(1)(f)
19 shall be placed on supervised release detention care with
20 electronic monitoring or in secure detention care under a
21 special detention order until disposition. If secure detention
22 care is ordered by the court, it must be authorized under this
23 part and may not exceed:

24 1. Twenty-one days unless an adjudicatory hearing for the
25 case has been commenced in good faith by the court or the period
26 is extended by the court pursuant to paragraph (b); or

27 2. Fifteen days after the entry of an order of
28 adjudication.

29
30 As used in this paragraph, the term "disposition" means a
31 declination to file under s. 985.15(1)(h), the entry of nolle
32 prosequi for the charges, the filing of an indictment under s.
33 985.56 or an information under s. 985.557, a dismissal of the
34 case, or an order of final disposition by the court.

35 (d) A prolific juvenile offender under s. 985.255(1)(f) who
36 is taken into custody for a violation of the conditions of his
37 or her supervised release detention must be held in secure
38 detention until a detention hearing is held.

39 (3) Except as provided in subsection (2), a child may not
40 be held in detention care for more than 15 days after following



826086

41 the entry of an order of adjudication.

42 (4) ~~(a)~~ The time limits in subparagraph (2) (a)2. subsections
43 ~~(2)~~ and subsection (3) do not include periods of delay resulting
44 from a continuance granted by the court for cause on motion of
45 the child or his or her counsel or of the state. Upon the
46 issuance of an order granting a continuance for cause on a
47 motion by either the child, the child's counsel, or the state,
48 the court shall conduct a hearing at the end of each 72-hour
49 period, excluding Saturdays, Sundays, and legal holidays, to
50 determine the need for continued secure detention of the child
51 and the need for further continuance of proceedings for the
52 child or the state.

53 ~~(b) The period for supervised release detention care under~~
54 ~~this section is tolled on the date that the department or a law~~
55 ~~enforcement officer alleges that the child has violated a~~
56 ~~condition of the child's supervised release detention care until~~
57 ~~the court enters a ruling on the violation. Notwithstanding the~~
58 ~~tolling of supervised release detention care, the court retains~~
59 ~~jurisdiction over the child for a violation of a condition of~~
60 ~~supervised release detention care during the tolling period. If~~
61 ~~the court finds that a child has violated his or her supervised~~
62 ~~release detention care, the number of days that the child served~~
63 ~~in any type of detention care before commission of the violation~~
64 ~~shall be excluded from the time limits under subsections (2) and~~
65 ~~(3).~~

66 (7) Any electronic monitoring ordered by a court as a
67 condition of supervised release detention care under this
68 section may be supervised by the department, a law enforcement
69 agency, or the department and a law enforcement agency working



826086

70 in partnership. However, this subsection does not require a law
71 enforcement agency to supervise a child placed on electronic
72 monitoring, and it does not authorize a law enforcement agency
73 to charge a child, or a child's parent or guardian, for
74 electronic