

1                   A bill to be entitled  
2           An act relating to juvenile justice; amending s.  
3           14.33, F.S.; authorizing the Governor to award a Medal  
4           of Heroism to juvenile detention and juvenile  
5           probation officers; amending ss. 112.19 and 112.193,  
6           F.S.; revising the definition of the term "law  
7           enforcement, correctional, or correctional probation  
8           officer" to include juvenile detention and juvenile  
9           probation officers; amending s. 112.194, F.S.;  
10          authorizing certain entities to establish an award  
11          program to award a Medal of Valor to a juvenile  
12          detention officer or probation officer in certain  
13          circumstances; amending s. 787.035, F.S.; specifying  
14          that a certain reference to the department is a  
15          reference to the Department of Juvenile Justice;  
16          amending s. 943.10, F.S.; revising the definition of  
17          the term "officer" to include juvenile detention and  
18          juvenile probation officers; defining the terms  
19          "juvenile detention officer" and "juvenile probation  
20          officer"; amending s. 984.03, F.S.; revising the  
21          definition of the term "family in need of services";  
22          amending s. 984.09, F.S.; providing that a child  
23          subject to proceedings under ch. 984, F.S., may only  
24          be placed in a shelter in certain circumstances;  
25          amending s. 985.6865, F.S.; requiring the Department

26 of Juvenile Justice to direct the Department of  
27 Revenue to deduct specified amounts owed to the  
28 Department of Juvenile Justice upon a certain  
29 determination; requiring the Department of Revenue to  
30 transfer such funds into a certain trust fund;  
31 specifying requirements relating to such reductions in  
32 amounts distributed to counties; reenacting s.  
33 112.1912(1)(a), F.S., relating to first responders,  
34 death benefits for educational expenses, to  
35 incorporate the amendment made to s. 112.19, F.S., in  
36 a reference thereto; reenacting ss. 384.287(1),  
37 493.6102(1), 741.31(4)(b), 782.07(4), and 790.233(3),  
38 F.S., relating to screening for sexually transmissible  
39 disease, inapplicability of this chapter, violation of  
40 an injunction for protection against domestic  
41 violence, manslaughter, aggravated manslaughter of an  
42 elderly person or disabled adult, aggravated  
43 manslaughter of a child, aggravated manslaughter of an  
44 officer, a firefighter, an emergency medical  
45 technician, or a paramedic, possession of firearm or  
46 ammunition prohibited when person is subject to an  
47 injunction against committing acts of domestic  
48 violence, stalking, or cyberstalking, penalties, to  
49 incorporate the amendment made to s. 943.10, F.S., in  
50 references thereto; reenacting ss. 39.01(1) and

51 (37) (e), 44.1011(2) (d), 44.102(2) (d), 984.04(1),  
 52 984.071(1), 984.10(1) and (2), 984.12, 984.13(3), and  
 53 985.03(23), F.S., relating to definitions in  
 54 proceedings relating to children, definitions in  
 55 dependency mediation, court-ordered mediation, early  
 56 truancy intervention, families in need of services and  
 57 children in need of services, procedures and  
 58 jurisdiction, resources and information, intake, case  
 59 staffing, services and treatment related to a family  
 60 in need of services, taking a child into custody, and  
 61 definitions relating to juvenile justice,  
 62 respectively, to incorporate the amendment made to s.  
 63 984.03, F.S., in references thereto; reenacting ss.  
 64 984.03(33), 984.07(1), and 984.151(12), F.S., relating  
 65 to definitions relating to children and families in  
 66 need of services, right to counsel, waiver, appointed  
 67 counsel, compensation, and early truancy intervention,  
 68 truancy petition, judgment, respectively, to  
 69 incorporate the amendment made to s. 984.09, F.S., in  
 70 references thereto; providing an effective date.

71

72 Be It Enacted by the Legislature of the State of Florida:

73

74 **Section 1. Subsection (1) of section 14.33, Florida**  
 75 **Statutes, is amended to read:**

76 14.33 Medal of Heroism.—

77 (1) The Governor may award a Medal of Heroism of  
 78 appropriate design, with ribbons and appurtenances, to a law  
 79 enforcement, correctional, ~~or~~ correctional probation officer,  
 80 juvenile detention officer, or juvenile probation officer, as  
 81 defined in s. 943.10(14); a firefighter, as defined in s.  
 82 112.191(1)(b); an emergency medical technician, as defined in s.  
 83 401.23; or a paramedic, as defined in s. 401.23. A recipient  
 84 must have distinguished himself or herself conspicuously by  
 85 gallantry and intrepidity, must have risked his or her life  
 86 deliberately above and beyond the call of duty while performing  
 87 duty in his or her respective position, and must have engaged in  
 88 hazardous or perilous activities to preserve lives with the  
 89 knowledge that such activities might result in great personal  
 90 harm.

91 **Section 2. Section 112.19, Florida Statutes, is amended to**  
 92 **read:**

93 112.19 Law enforcement, correctional, and correctional  
 94 probation officers; death benefits.—

95 (1) As used in this section, the term:

96 (a) "Employer" means a state board, commission,  
 97 department, division, bureau, or agency, or a county,  
 98 municipality, or other political subdivision of the state, which  
 99 employs, appoints, or otherwise engages the services of law  
 100 enforcement, correctional, or correctional probation officers.

101 (b) "Fresh pursuit" means the pursuit of a person who has  
102 committed or is reasonably suspected of having committed a  
103 felony, misdemeanor, traffic infraction, or violation of a  
104 county or municipal ordinance. The term does not imply instant  
105 pursuit, but pursuit without unreasonable delay.

106 (c) "Insurance" means insurance procured from a stock  
107 company or mutual company or association or exchange authorized  
108 to do business as an insurer in this state.

109 (d) "Law enforcement, correctional, or correctional  
110 probation officer" means any officer as defined in s. 943.10(14)  
111 or employee of the state or any political subdivision of the  
112 state, including any law enforcement officer, correctional  
113 officer, correctional probation officer, juvenile detention  
114 officer, juvenile probation officer, state attorney  
115 investigator, public defender investigator, or criminal conflict  
116 and civil regional counsel investigator, whose duties require  
117 such officer or employee to investigate, pursue, apprehend,  
118 arrest, transport, or maintain custody of persons who are  
119 charged with, suspected of committing, or convicted of a crime;  
120 and the term includes any member of a bomb disposal unit whose  
121 primary responsibility is the location, handling, and disposal  
122 of explosive devices. The term also includes any full-time  
123 officer or employee of the state or any political subdivision of  
124 the state, certified pursuant to chapter 943, whose duties  
125 require such officer to serve process or to attend a session of

126 | a circuit or county court as bailiff.

127 |       (2) (a) The sum of \$75,000 must be paid as provided in this  
 128 | section when a law enforcement, correctional, or correctional  
 129 | probation officer, while engaged in the performance of the  
 130 | officer's law enforcement duties, is accidentally killed or  
 131 | receives accidental bodily injury which results in the loss of  
 132 | the officer's life, provided that such killing is not the result  
 133 | of suicide and that such bodily injury is not intentionally  
 134 | self-inflicted.

135 |       (b) The sum of \$75,000 must be paid as provided in this  
 136 | section if a law enforcement, correctional, or correctional  
 137 | probation officer is accidentally killed as specified in  
 138 | paragraph (a) and the accidental death occurs:

- 139 |           1. As a result of the officer's response to fresh pursuit;
- 140 |           2. As a result of the officer's response to what is
- 141 | reasonably believed to be an emergency;
- 142 |           3. At the scene of a traffic accident to which the officer
- 143 | has responded; or
- 144 |           4. While the officer is enforcing what is reasonably
- 145 | believed to be a traffic law or ordinance.

146 |  
 147 | This sum is in addition to any sum provided for in paragraph  
 148 | (a).

149 |       (c) If a law enforcement, correctional, or correctional  
 150 | probation officer, while engaged in the performance of the

151 officer's law enforcement duties, is unlawfully and  
152 intentionally killed or dies as a result of such unlawful and  
153 intentional act, the sum of \$225,000 must be paid as provided in  
154 this section.

155 (d) Such payments, pursuant to paragraphs (a), (b), and  
156 (c), whether secured by insurance or not, must be made to the  
157 beneficiary designated by such law enforcement, correctional, or  
158 correctional probation officer in writing, signed by the officer  
159 and delivered to the employer during the officer's lifetime. If  
160 no such designation is made, then the payments must be paid to  
161 the officer's surviving child or children and to the officer's  
162 surviving spouse in equal portions, and if there is no surviving  
163 child or spouse, then to the officer's parent or parents. If a  
164 beneficiary is not designated and there is no surviving child,  
165 spouse, or parent, then the sum must be paid to the officer's  
166 estate.

167 (e) Such payments, pursuant to paragraphs (a), (b), and  
168 (c), are in addition to any workers' compensation or retirement  
169 plan benefits and are exempt from the claims and demands of  
170 creditors of such law enforcement, correctional, or correctional  
171 probation officer.

172 (f) If a full-time law enforcement, correctional, or  
173 correctional probation officer who is certified pursuant to  
174 chapter 943 and employed by a state agency is killed in the line  
175 of duty while the officer is engaged in the performance of law

176 enforcement duties or as a result of an assault against the  
177 officer under riot conditions:

178 1. The sum of \$10,000 must be paid, as provided for in  
179 paragraph (d), toward the funeral and burial expenses of such  
180 officer. Such benefits are in addition to any other benefits to  
181 which employee beneficiaries and dependents are entitled under  
182 the Workers' Compensation Law or any other state or federal  
183 statutes; and

184 2. The officer's employing agency may pay up to \$5,000  
185 directly toward the venue expenses associated with the funeral  
186 and burial services of such officer.

187 (g) Any political subdivision of the state that employs a  
188 full-time law enforcement officer as defined in s. 943.10(1) or  
189 a full-time correctional officer as defined in s. 943.10(2) who  
190 is killed in the line of duty on or after July 1, 1993, as a  
191 result of an act of violence inflicted by another person while  
192 the officer is engaged in the performance of law enforcement  
193 duties or as a result of an assault against the officer under  
194 riot conditions shall pay the entire premium of the political  
195 subdivision's health insurance plan for the employee's surviving  
196 spouse until remarried, and for each dependent child of the  
197 employee until the child reaches the age of majority or until  
198 the end of the calendar year in which the child reaches the age  
199 of 25 if:

200 1. At the time of the employee's death, the child is

201 dependent upon the employee for support; and

202       2. The surviving child continues to be dependent for  
203 support, or the surviving child is a full-time or part-time  
204 student and is dependent for support.

205       (h)1. Any employer who employs a full-time law  
206 enforcement, correctional, or correctional probation officer  
207 who, on or after January 1, 1995, suffers a catastrophic injury,  
208 as defined in s. 440.02, Florida Statutes 2002, in the line of  
209 duty shall pay the entire premium of the employer's health  
210 insurance plan for the injured employee, the injured employee's  
211 spouse, and for each dependent child of the injured employee  
212 until the child reaches the age of majority or until the end of  
213 the calendar year in which the child reaches the age of 25 if  
214 the child continues to be dependent for support, or the child is  
215 a full-time or part-time student and is dependent for support.  
216 The term "health insurance plan" does not include supplemental  
217 benefits that are not part of the basic group health insurance  
218 plan. If the injured employee subsequently dies, the employer  
219 shall continue to pay the entire health insurance premium for  
220 the surviving spouse until remarried, and for the dependent  
221 children, under the conditions outlined in this paragraph.

222 However:

223       a. Health insurance benefits payable from any other source  
224 shall reduce benefits payable under this section.

225       b. It is unlawful for a person to willfully and knowingly

226 | make, or cause to be made, or to assist, conspire with, or urge  
227 | another to make, or cause to be made, any false, fraudulent, or  
228 | misleading oral or written statement to obtain health insurance  
229 | coverage as provided under this paragraph. A person who violates  
230 | this sub-subparagraph commits a misdemeanor of the first degree,  
231 | punishable as provided in s. 775.082 or s. 775.083.

232 |       c. In addition to any applicable criminal penalty, upon  
233 | conviction for a violation as described in sub-subparagraph b.,  
234 | a law enforcement, correctional, or correctional probation  
235 | officer or other beneficiary who receives or seeks to receive  
236 | health insurance benefits under this paragraph shall forfeit the  
237 | right to receive such health insurance benefits, and shall  
238 | reimburse the employer for all benefits paid due to the fraud or  
239 | other prohibited activity. For purposes of this sub-  
240 | subparagraph, the term "conviction" means a determination of  
241 | guilt that is the result of a plea or trial, regardless of  
242 | whether adjudication is withheld.

243 |       2. In order for the officer, spouse, and dependent  
244 | children to be eligible for such insurance coverage, the injury  
245 | must have occurred while the officer was in the line of duty or  
246 | engaged in an official training exercise. Except as otherwise  
247 | provided herein, this paragraph may not be construed to limit  
248 | health insurance coverage for which the officer, spouse, or  
249 | dependent children may otherwise be eligible, except that a  
250 | person who qualifies under this section is not eligible for the

251 health insurance subsidy provided under chapter 121, chapter  
252 175, or chapter 185.

253 (i) The Bureau of Crime Prevention and Training within the  
254 Department of Legal Affairs shall adopt rules necessary to  
255 implement paragraphs (a), (b), and (c).

256 (3) If a law enforcement, correctional, or correctional  
257 probation officer is accidentally killed as specified in  
258 paragraph (2)(b) on or after June 22, 1990, but before July 1,  
259 2019, or unlawfully and intentionally killed as specified in  
260 paragraph (2)(c) on or after July 1, 1980, but before July 1,  
261 2019, the state must waive certain educational expenses that the  
262 child or spouse of the deceased officer incurs while obtaining a  
263 career certificate, an undergraduate education, or a  
264 postgraduate education. The amount waived by the state must be  
265 in an amount equal to the cost of tuition and matriculation and  
266 registration fees for a total of 120 credit hours. The child or  
267 spouse may attend a state career center, a Florida College  
268 System institution, or a state university on either a full-time  
269 or part-time basis. The benefits provided to a child under this  
270 subsection shall continue until the child's 25th birthday. The  
271 benefits provided to a spouse under this subsection must  
272 commence within 5 years after the death occurs, and entitlement  
273 thereto shall continue until the 10th anniversary of that death.

274 (a) Upon failure of any child or spouse who receives a  
275 waiver in accordance with this subsection to comply with the

276 ordinary and minimum requirements regarding discipline and  
277 scholarship of the institution attended, such benefits must be  
278 withdrawn as to the child or spouse and no further moneys may be  
279 expended for the child's or spouse's benefits so long as such  
280 failure or delinquency continues.

281 (b) Only a student in good standing in his or her  
282 respective institution may receive the benefits provided in this  
283 subsection.

284 (c) A child or spouse receiving benefits under this  
285 subsection must be enrolled according to the customary rules and  
286 requirements of the institution attended.

287 (4) (a) The employer of such law enforcement, correctional,  
288 or correctional probation officer is liable for the payment of  
289 the sums specified in this section and is deemed self-insured,  
290 unless it procures and maintains, or has already procured and  
291 maintained, insurance to secure such payments. Any such  
292 insurance may cover only the risks indicated in this section, in  
293 the amounts indicated in this section, or it may cover those  
294 risks and additional risks and may be in larger amounts. Any  
295 such insurance must be placed by such employer only after public  
296 bid of such insurance coverage which must be awarded to the  
297 carrier making the lowest best bid.

298 (b) Payment of benefits to beneficiaries of state  
299 employees, or of the premiums to cover the risk, under this  
300 section must be paid from existing funds otherwise appropriated

301 to the department employing the law enforcement, correctional,  
 302 or correctional probation officers.

303 (5) The State Board of Education shall adopt rules and  
 304 procedures, and the Board of Governors shall adopt regulations  
 305 and procedures, as are appropriate and necessary to implement  
 306 the educational benefits provisions of this section.

307 (6) Notwithstanding any provision of this section to the  
 308 contrary, the death benefits provided in paragraphs (2)(c) and  
 309 (g) shall also be applicable and paid in cases where an officer  
 310 received bodily injury before July 1, 1993, and subsequently  
 311 died on or after July 1, 1993, as a result of such in-line-of-  
 312 duty injury attributable to an unlawful and intentional act, or  
 313 an act of violence inflicted by another, or an assault on the  
 314 officer under riot conditions. Payment of such benefits must be  
 315 in accordance with this section. This subsection may not be  
 316 construed to limit death benefits for which those individuals  
 317 listed in paragraph (2)(d) may otherwise be eligible.

318 **Section 3. Paragraph (b) of subsection (1) and subsections**  
 319 **(2) and (3) of section 112.193, Florida Statutes, are amended to**  
 320 **read:**

321 112.193 Law enforcement, correctional, ~~and~~ correctional  
 322 probation, juvenile detention, and juvenile probation officers'  
 323 commemorative service awards.—

324 (1) For the purposes of this section, the term:

325 (b) "Law enforcement, correctional, ~~or~~ correctional

326 probation, juvenile detention, or juvenile probation officer"  
 327 means any full-time, part-time, or auxiliary officer as defined  
 328 in s. 943.10(14).

329 (2) Each employer that employs or appoints law  
 330 enforcement, correctional, ~~or~~ correctional probation, juvenile  
 331 detention, or juvenile probation officers may present to each  
 332 such employee who retires under any provision of a state or  
 333 municipal retirement system, including medical disability  
 334 retirement, or who is eligible to retire under any such  
 335 provision but, instead, resigns from one employer to accept an  
 336 elected public office, one complete uniform including the badge  
 337 worn by that officer, the officer's service handgun, if one was  
 338 issued as part of the officer's equipment, and an identification  
 339 card clearly marked "RETIRED."

340 (3) Upon the death of a law enforcement, correctional, ~~or~~  
 341 correctional probation, juvenile detention, or juvenile  
 342 probation officer, the employer may present to the spouse or  
 343 other beneficiary of the officer, upon request, one complete  
 344 uniform, including the badge worn by the officer. However, if a  
 345 law enforcement, correctional, ~~or~~ correctional probation,  
 346 juvenile detention, or juvenile probation officer is killed in  
 347 the line of duty, the employer may present, upon request, to the  
 348 spouse or other beneficiary of the officer the officer's  
 349 service-issued handgun, if one was issued as part of the  
 350 officer's equipment. If the employer is not in possession of the

351 service-issued handgun, the employer may, within its discretion,  
 352 and upon written request of the spouse or other beneficiary,  
 353 present a similar handgun. The provisions of this section shall  
 354 also apply in that instance to a law enforcement or correctional  
 355 officer who died before May 1, 1993. In addition, the officer's  
 356 service handgun may be presented by the employer for any such  
 357 officer who was killed in the line of duty prior to this act  
 358 becoming a law.

359 **Section 4. Subsections (1) and (3) of section 112.194,**  
 360 **Florida Statutes, are amended to read:**

361 112.194 Law enforcement ~~and~~ correctional, juvenile  
 362 detention, and juvenile probation officers' Medal of Valor.—

363 (1) Any state board, commission, department, division,  
 364 bureau, or agency, or any county or municipality that employs or  
 365 appoints law enforcement officers, ~~or~~ correctional officers,  
 366 juvenile detention officers, or juvenile probation officers, as  
 367 defined in s. 943.10(14), may establish an award program to  
 368 award a Medal of Valor to any such officer whose actions are  
 369 extraordinary and expose the officer to peril beyond the call of  
 370 duty.

371 (3) Upon the death of such a law enforcement officer ~~or~~  
 372 correctional officer, juvenile detention officer, or juvenile  
 373 probation officer, the employer may present the Medal of Valor  
 374 posthumously to the officer's closest living relative.

375 **Section 5. Paragraph (a) of subsection (1) of section**

376 **787.035, Florida Statutes, is amended to read:**

377 787.035 Sheltering unmarried minors; aiding unmarried  
378 minor runaways; violations.—

379 (1) (a) A person who is not an authorized agent of the  
380 Department of Juvenile Justice or the Department of Children and  
381 Families may not knowingly shelter an unmarried minor for more  
382 than 24 hours without the consent of the minor's parent or  
383 guardian or without notifying a law enforcement officer of the  
384 minor's name and the fact that the minor is being provided  
385 shelter.

386 **Section 6. Subsection (14) of section 943.10, Florida**  
387 **Statutes, is amended, and new subsections (23) and (24) are**  
388 **added to that section, to read:**

389 943.10 Definitions; ss. 943.085-943.255.—The following  
390 words and phrases as used in ss. 943.085-943.255 are defined as  
391 follows:

392 (14) "Officer" means any person employed or appointed as a  
393 full-time, part-time, or auxiliary law enforcement officer,  
394 correctional officer, ~~or~~ correctional probation officer,  
395 juvenile detention officer, or juvenile probation officer.

396 (23) "Juvenile detention officer" means an officer who is  
397 responsible for the direct supervision of youth who are held in  
398 secure detention. The term includes all certified supervisor  
399 personnel whose duties include, in whole or in part, the  
400 supervision, training, and guidance of juvenile detention

401 officers, but does not include support personnel employed by the  
 402 employing agency.

403 (24) "Juvenile probation officer" means an authorized  
 404 agent of the Department of Juvenile Justice who performs the  
 405 intake, case management, or supervision functions. The term  
 406 includes all certified supervisory personnel whose duties  
 407 include, in whole or in part, the supervision, training, and  
 408 guidance of juvenile probation officers, but does not include  
 409 support personnel employed by the employing agency.

410 **Section 7. Subsection (15) of section 984.03, Florida**  
 411 **Statutes, is amended to read:**

412 984.03 Definitions.—When used in this chapter, the term:

413 (15) "Family in need of services" means a family that has  
 414 a child who is running away; who is ungovernable and  
 415 persistently disobeying reasonable and lawful demands of the  
 416 parent, ~~or~~ legal guardian, or custodian and is beyond the  
 417 control of the parent, ~~or~~ legal guardian, or custodian; or who  
 418 is a habitual truant or engaging in other serious behaviors that  
 419 place the child at risk of future abuse, neglect, or abandonment  
 420 or at risk of entering the juvenile justice system. The child  
 421 must be referred to a law enforcement agency, the department, or  
 422 an agency contracted to provide services to children in need of  
 423 services. A family is not eligible to receive voluntary family  
 424 services if, at the time of the referral, the child is currently  
 425 under court-ordered supervision by the department for

426 delinquency under chapter 985 or under court-ordered supervision  
 427 by the Department of Children and Families under chapter 39.

428 **Section 8. Subsection (2) of section 984.09, Florida**  
 429 **Statutes, is amended to read:**

430 984.09 Punishment for contempt of court; alternative  
 431 sanctions.—

432 (2) PLACEMENT IN A SHELTER.—A child subject to proceedings  
 433 under this chapter ~~adjudicated as a child in need of services~~  
 434 may only be placed in a shelter for purposes of punishment for  
 435 contempt of court if alternative sanctions are unavailable or  
 436 inappropriate, or if the child has already been ordered to serve  
 437 an alternative sanction but failed to comply with the sanction.

438 **Section 9. Section 985.6865, Florida Statutes, is amended**  
 439 **to read:**

440 985.6865 Juvenile detention costs.—

441 (1) As used in this section, the term:

442 (a) "Detention care" means secure detention and respite  
 443 beds for juveniles charged with a domestic violence crime.

444 (b) "Fiscally constrained county" means a county within a  
 445 rural area of opportunity as designated by the Governor pursuant  
 446 to s. 288.0656 or each county for which the value of a mill will  
 447 raise no more than \$5 million in revenue, based on the certified  
 448 school taxable value certified pursuant to s. 1011.62(4)(a)1.a.,  
 449 from the previous July 1.

450 (c) "Total shared detention costs" means the amount of

451 funds expended by the department for the costs of detention care  
452 for the prior fiscal year. This amount includes the most recent  
453 actual certify forward amounts minus any funds it expends on  
454 detention care for juveniles residing in fiscally constrained  
455 counties or out of state.

456 (2) Annually by July 15, the department shall calculate  
457 and provide to each county that is not a fiscally constrained  
458 county and that does not provide its own detention care for  
459 juveniles its annual percentage share by dividing the total  
460 number of detention days for juveniles residing in the county  
461 for the most recently completed 12-month period by the total  
462 number of detention days for juveniles in all counties that are  
463 not fiscally constrained counties during the same period. The  
464 annual percentage share of each county that is not a fiscally  
465 constrained county and that does not provide its own detention  
466 care for juveniles must be multiplied by 50 percent of the total  
467 shared detention costs to determine that county's share of  
468 detention costs. Beginning August 1, each such county shall pay  
469 to the department its share of detention costs, which shall be  
470 paid in 12 equal payments due on the first day of each month.  
471 The state shall pay the remaining actual costs of detention  
472 care.

473 (3) Each quarter, the department shall review county  
474 juvenile detention payments to ensure that counties fulfill  
475 their financial responsibilities required under this section. If

476 the department determines that a county has not met its  
477 obligations, the department must direct the Department of  
478 Revenue to deduct the amount owed to the department from the  
479 funds provided to the county under s. 218.23. The Department of  
480 Revenue shall transfer the funds withheld into the Shared  
481 County/State Juvenile Detention Trust Fund.

482 (4) As an assurance to holders of bonds issued by counties  
483 before July 1 of each year, for which distributions made  
484 pursuant to s. 218.23 are pledged, or bonds issued to refund  
485 such bonds which mature no later than the bonds they refunded  
486 and which result in a reduction of debt service payable in each  
487 fiscal year, the amount available for distribution to a county  
488 shall remain as provided by law and continue to be subject to  
489 any lien or claim on behalf of the bondholders. The Department  
490 of Revenue must ensure, based on information provided by an  
491 affected county, that any reduction in amounts distributed  
492 pursuant to subsection (3) does not reduce the amount of  
493 distribution to a county below the amount necessary for the  
494 timely payment of principal and interest when due on the bonds  
495 and the amount necessary to comply with any covenant under the  
496 bond resolution or other documents relating to the issuance of  
497 the bonds. If a reduction to a county's monthly distribution  
498 must be decreased in order to comply with this section, the  
499 Department of Revenue must notify the department of the amount  
500 of the decrease, and the department must send a bill for payment

501 of such amount to the affected county.

502 (5)~~(3)~~ The state shall pay all costs of detention care for  
 503 juveniles residing in a fiscally constrained county and for  
 504 juveniles residing out of state. The state shall pay all costs  
 505 of detention care for juveniles housed in state detention  
 506 centers from counties that provide their own detention care for  
 507 juveniles.

508 (6)~~(4)~~ Each county that is not a fiscally constrained  
 509 county and that does not provide its own detention care for  
 510 juveniles shall incorporate into its annual county budget  
 511 sufficient funds to pay its annual percentage share of the total  
 512 shared detention costs required by subsection (2).

513 (7)~~(5)~~ Funds paid by the counties to the department  
 514 pursuant to this section must be deposited into the Shared  
 515 County/State Juvenile Detention Trust Fund.

516 ~~(6) The department shall determine each quarter whether~~  
 517 ~~the counties are remitting funds as required by this section.~~

518 (8)~~(7)~~ Funds received from counties pursuant to this  
 519 section are not subject to the service charges provided in s.  
 520 215.20.

521 (9)~~(8)~~ The department may adopt rules to administer this  
 522 section.

523 **Section 10. For the purpose of incorporating the amendment**  
 524 **made by this act to section 112.19, Florida Statutes, in a**  
 525 **reference thereto, paragraph (a) of subsection (1) of section**

526 **112.1912, Florida Statutes, is reenacted to read:**

527 112.1912 First responders; death benefits for educational  
528 expenses.—

529 (1) As used in this section, the term "first responder"  
530 means:

531 (a) A law enforcement, correctional, or correctional  
532 probation officer as defined in s. 112.19(1) who is killed as  
533 provided in s. 112.19(2) on or after July 1, 2019;

534 **Section 11. For the purpose of incorporating the amendment**  
535 **made by this act to section 943.10, Florida Statutes, in a**  
536 **reference thereto, subsection (1) of section 384.287, Florida**  
537 **Statutes, is reenacted to read:**

538 384.287 Screening for sexually transmissible disease.—

539 (1) An officer as defined in s. 943.10(14); support  
540 personnel as defined in s. 943.10(11) who are employed by the  
541 Department of Law Enforcement, including, but not limited to,  
542 any crime scene analyst, forensic technologist, or crime lab  
543 analyst; firefighter as defined in s. 633.102; or ambulance  
544 driver, paramedic, or emergency medical technician as defined in  
545 s. 401.23, acting within the scope of employment, who comes into  
546 contact with a person in such a way that significant exposure,  
547 as defined in s. 381.004, has occurred may request that the  
548 person be screened for a sexually transmissible disease that can  
549 be transmitted through a significant exposure.

550 **Section 12. For the purpose of incorporating the amendment**

551 **made by this act to section 943.10, Florida Statutes, in a**  
 552 **reference thereto, subsection (1) of section 493.6102, Florida**  
 553 **Statutes, is reenacted to read:**

554 493.6102 Inapplicability of this chapter.—This chapter  
 555 shall not apply to:

556 (1) Any individual who is an "officer" as defined in s.  
 557 943.10(14) or is a law enforcement officer of the United States  
 558 Government, while such local, state, or federal officer is  
 559 engaged in her or his official duties or when performing off-  
 560 duty security activities approved by her or his superiors.

561 **Section 13. For the purpose of incorporating the amendment**  
 562 **made by this act to section 943.10, Florida Statutes, in a**  
 563 **reference thereto, paragraph (b) of subsection (4) of section**  
 564 **741.31, Florida Statutes, is reenacted to read:**

565 741.31 Violation of an injunction for protection against  
 566 domestic violence.—

567 (4)

568 (b)1. It is a violation of s. 790.233, and a misdemeanor  
 569 of the first degree, punishable as provided in s. 775.082 or s.  
 570 775.083, for a person to violate a final injunction for  
 571 protection against domestic violence by having in his or her  
 572 care, custody, possession, or control any firearm or ammunition.

573 2. It is the intent of the Legislature that the  
 574 disabilities regarding possession of firearms and ammunition are  
 575 consistent with federal law. Accordingly, this paragraph shall

576 not apply to a state or local officer as defined in s.  
577 943.10(14), holding an active certification, who receives or  
578 possesses a firearm or ammunition for use in performing official  
579 duties on behalf of the officer's employing agency, unless  
580 otherwise prohibited by the employing agency.

581 **Section 14. For the purpose of incorporating the amendment**  
582 **made by this act to section 943.10, Florida Statutes, in a**  
583 **reference thereto, subsection (4) of section 782.07, Florida**  
584 **Statutes, is reenacted to read:**

585 782.07 Manslaughter; aggravated manslaughter of an elderly  
586 person or disabled adult; aggravated manslaughter of a child;  
587 aggravated manslaughter of an officer, a firefighter, an  
588 emergency medical technician, or a paramedic.—

589 (4) A person who causes the death, through culpable  
590 negligence, of an officer as defined in s. 943.10(14), a  
591 firefighter as defined in s. 112.191, an emergency medical  
592 technician as defined in s. 401.23, or a paramedic as defined in  
593 s. 401.23, while the officer, firefighter, emergency medical  
594 technician, or paramedic is performing duties that are within  
595 the course of his or her employment, commits aggravated  
596 manslaughter of an officer, a firefighter, an emergency medical  
597 technician, or a paramedic, a felony of the first degree,  
598 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

599 **Section 15. For the purpose of incorporating the amendment**  
600 **made by this act to section 943.10, Florida Statutes, in a**

601 **reference thereto, subsection (3) of section 790.233, Florida**  
 602 **Statutes, is reenacted to read:**

603 790.233 Possession of firearm or ammunition prohibited  
 604 when person is subject to an injunction against committing acts  
 605 of domestic violence, stalking, or cyberstalking; penalties.—

606 (3) It is the intent of the Legislature that the  
 607 disabilities regarding possession of firearms and ammunition are  
 608 consistent with federal law. Accordingly, this section does not  
 609 apply to a state or local officer as defined in s. 943.10(14),  
 610 holding an active certification, who receives or possesses a  
 611 firearm or ammunition for use in performing official duties on  
 612 behalf of the officer's employing agency, unless otherwise  
 613 prohibited by the employing agency.

614 **Section 16. For the purpose of incorporating the amendment**  
 615 **made by this act to section 984.03, Florida Statutes, in**  
 616 **references thereto, subsection (1) and paragraph (e) of**  
 617 **subsection (37) of section 39.01, Florida Statutes, are**  
 618 **reenacted to read:**

619 39.01 Definitions.—When used in this chapter, unless the  
 620 context otherwise requires:

621 (1) "Abandoned" or "abandonment" means a situation in  
 622 which the parent or legal custodian of a child or, in the  
 623 absence of a parent or legal custodian, the caregiver, while  
 624 being able, has made no significant contribution to the child's  
 625 care and maintenance or has failed to establish or maintain a

626 substantial and positive relationship with the child, or both.  
627 For purposes of this subsection, "establish or maintain a  
628 substantial and positive relationship" includes, but is not  
629 limited to, frequent and regular contact with the child through  
630 frequent and regular visitation or frequent and regular  
631 communication to or with the child, and the exercise of parental  
632 rights and responsibilities. Marginal efforts and incidental or  
633 token visits or communications are not sufficient to establish  
634 or maintain a substantial and positive relationship with a  
635 child. A man's acknowledgment of paternity of the child does not  
636 limit the period of time considered in determining whether the  
637 child was abandoned. The term does not include a surrendered  
638 infant as described in s. 383.50, a "child in need of services"  
639 as defined in chapter 984, or a "family in need of services" as  
640 defined in chapter 984. The absence of a parent, legal  
641 custodian, or caregiver responsible for a child's welfare, who  
642 is a servicemember, by reason of deployment or anticipated  
643 deployment as defined in 50 U.S.C. s. 3938(e), may not be  
644 considered or used as a factor in determining abandonment. The  
645 incarceration, repeated incarceration, or extended incarceration  
646 of a parent, legal custodian, or caregiver responsible for a  
647 child's welfare may support a finding of abandonment.

648 (37) "Harm" to a child's health or welfare can occur when  
649 any person:

650 (e) Abandons the child. Within the context of the

651 definition of "harm," the term "abandoned the child" or  
652 "abandonment of the child" means a situation in which the parent  
653 or legal custodian of a child or, in the absence of a parent or  
654 legal custodian, the caregiver, while being able, has made no  
655 significant contribution to the child's care and maintenance or  
656 has failed to establish or maintain a substantial and positive  
657 relationship with the child, or both. For purposes of this  
658 paragraph, "establish or maintain a substantial and positive  
659 relationship" includes, but is not limited to, frequent and  
660 regular contact with the child through frequent and regular  
661 visitation or frequent and regular communication to or with the  
662 child, and the exercise of parental rights and responsibilities.  
663 Marginal efforts and incidental or token visits or  
664 communications are not sufficient to establish or maintain a  
665 substantial and positive relationship with a child. The term  
666 "abandoned" does not include a surrendered infant as described  
667 in s. 383.50, a child in need of services as defined in chapter  
668 984, or a family in need of services as defined in chapter 984.  
669 The incarceration, repeated incarceration, or extended  
670 incarceration of a parent, legal custodian, or caregiver  
671 responsible for a child's welfare may support a finding of  
672 abandonment.

673 **Section 17. For the purpose of incorporating the amendment**  
674 **made by this act to section 984.03, Florida Statutes, in a**  
675 **reference thereto, paragraph (d) of subsection (2) of section**

676 **44.1011, Florida Statutes, is reenacted to read:**

677 44.1011 Definitions.—As used in this chapter:

678 (2) "Mediation" means a process whereby a neutral third  
 679 person called a mediator acts to encourage and facilitate the  
 680 resolution of a dispute between two or more parties. It is an  
 681 informal and nonadversarial process with the objective of  
 682 helping the disputing parties reach a mutually acceptable and  
 683 voluntary agreement. In mediation, decisionmaking authority  
 684 rests with the parties. The role of the mediator includes, but  
 685 is not limited to, assisting the parties in identifying issues,  
 686 fostering joint problem solving, and exploring settlement  
 687 alternatives. "Mediation" includes:

688 (d) "Dependency or in need of services mediation," which  
 689 means mediation of dependency, child in need of services, or  
 690 family in need of services matters. Negotiations in dependency  
 691 or in need of services mediation are primarily conducted by the  
 692 parties. Counsel for each party may attend the mediation  
 693 conference and privately communicate with their clients.  
 694 However, presence of counsel is not required and, in the  
 695 discretion of the mediator and with the agreement of the  
 696 parties, mediation may proceed in the absence of counsel unless  
 697 otherwise ordered by the court.

698 **Section 18. For the purpose of incorporating the amendment**  
 699 **made by this act to section 984.03, Florida Statutes, in a**  
 700 **reference thereto, paragraph (d) of subsection (2) of section**

701 **44.102, Florida Statutes, is reenacted to read:**

702 44.102 Court-ordered mediation.—

703 (2) A court, under rules adopted by the Supreme Court:

704 (d) In circuits in which a dependency or in need of  
705 services mediation program has been established, may refer to  
706 mediation all or any portion of a matter relating to dependency  
707 or to a child in need of services or a family in need of  
708 services.

709 **Section 19. For the purpose of incorporating the amendment**  
710 **made by this act to section 984.03, Florida Statutes, in a**  
711 **reference thereto, subsection (1) of section 984.04, Florida**  
712 **Statutes, is reenacted to read:**

713 984.04 Early truancy intervention; families in need of  
714 services and children in need of services; procedures and  
715 jurisdiction.—

716 (1) The department shall be responsible for all  
717 nonjudicial proceedings involving voluntary family services for  
718 a family identified as a family in need of services according to  
719 rules established by the department under chapter 120.

720 **Section 20. For the purpose of incorporating the amendment**  
721 **made by this act to section 984.03, Florida Statutes, in a**  
722 **reference thereto, subsection (1) of section 984.071, Florida**  
723 **Statutes, is reenacted to read:**

724 984.071 Resources and information.—

725 (1) The department shall develop and publish an

726 information guide that explains the current process under this  
727 chapter for obtaining assistance for a child in need of services  
728 or a family in need of services and the community services and  
729 resources available to parents. The information guide shall be  
730 published in a written format for distribution and shall also be  
731 published on the department's website. Each information guide  
732 shall be reviewed annually and updated as appropriate. The  
733 school district shall distribute this information guide to  
734 parents of truant children, and to other parents upon request or  
735 as deemed appropriate by the school district. In addition, the  
736 department shall distribute the information guide to state and  
737 local law enforcement agencies. Any law enforcement officer who  
738 has contact with the parent of a child who is locked out of the  
739 home, who is ungovernable, or who runs away from home shall make  
740 the information guide available to the parent.

741 **Section 21. For the purpose of incorporating the amendment**  
742 **made by this act to section 984.03, Florida Statutes, in**  
743 **references thereto, subsections (1) and (2) of section 984.10,**  
744 **Florida Statutes, are reenacted to read:**

745 984.10 Intake.—

746 (1) Intake shall be performed by the department or the  
747 department's authorized agent. A report alleging that a child is  
748 from a family in need of services shall be made to the intake  
749 office operating in the county in which the child is found or in  
750 which the case arose. Any person or agency, including, but not

751 limited to, the parent, legal guardian, or custodian, the local  
 752 school district, a law enforcement agency, or the Department of  
 753 Children and Families, having knowledge of the facts may make a  
 754 report.

755 (2) A representative of the department shall make a  
 756 preliminary determination as to whether the report is complete.  
 757 The criteria for the completeness of a report with respect to a  
 758 child alleged to be from a family in need of services while  
 759 subject to compulsory school attendance shall be governed by s.  
 760 984.03. In any case in which the representative of the  
 761 department finds that the report is incomplete, the  
 762 representative of the department shall return the report without  
 763 delay to the person or agency originating the report or having  
 764 knowledge of the facts or to the appropriate law enforcement  
 765 agency having investigative jurisdiction and request additional  
 766 information in order to complete the report.

767 **Section 22. For the purpose of incorporating the amendment**  
 768 **made by this act to section 984.03, Florida Statutes, in a**  
 769 **reference thereto, section 984.12, Florida Statutes, is**  
 770 **reenacted to read:**

771 984.12 Case staffing; services and treatment related to a  
 772 family in need of services.—

773 (1) The appropriate representative of the department shall  
 774 request a meeting of the family and child with a case staffing  
 775 committee to review the case of any family or child who the

776 department determines is in need of services if:

777 (a) The family or child is not in agreement with the  
778 services or treatment offered;

779 (b) The family or child will not participate in the  
780 services or treatment selected; or

781 (c) The representative of the department needs assistance  
782 in developing an appropriate plan for services. The time and  
783 place selected for the meeting shall be convenient for the child  
784 and family.

785 (2) The composition of the case staffing committee shall  
786 be based on the needs of the family and child. It shall include  
787 a representative from the child's school district and a  
788 representative of the department, and may include the  
789 department's authorized agent and a supervisor of the  
790 department's contracted provider; a representative from the area  
791 of health, mental health, substance abuse, or social services; a  
792 representative of the state attorney; a representative of law  
793 enforcement; and any person recommended by the child, family, or  
794 department. The child and the child's parent, legal guardian, or  
795 custodian must be invited to attend the committee meeting.

796 (3) The case staffing committee shall:

797 (a) Identify the family's concerns and contributing  
798 factors.

799 (b) Request the family and child to identify their needs  
800 and concerns.

801 (c) Seek input from the school district and any other  
802 persons in attendance with knowledge of the family or child's  
803 situation and concerns.

804 (d) Consider the voluntary family services or other  
805 community services that have been offered and the results of  
806 those services.

807 (e) Identify whether truancy is a concern and evaluate  
808 compliance with the remedial strategies provided pursuant to s.  
809 1003.26.

810 (f) Reach a timely decision to provide the child or family  
811 with services and recommend any appropriate treatment through  
812 the development of a plan for services.

813 (4) The plan for services shall contain the following:

814 (a) Statement of the concerns.

815 (b) Needs of the child.

816 (c) Needs of the parents, legal guardian, or custodian.

817 (d) Measurable objectives that address the identified  
818 problems and needs.

819 (e) Services and treatment to be provided, to include:

820 1. Type of services or treatment.

821 2. Frequency of services or treatment.

822 3. Location.

823 4. Accountable service providers or staff.

824 (f) Timeframes for achieving objectives.

825 (5) Upon receipt of the plan, the child and family shall

826 acknowledge their position by accepting or rejecting the  
827 services and provisions in writing. If the plan is accepted, it  
828 shall be implemented as soon as is practicable.

829 (6) The assigned case manager shall have responsibility  
830 for implementing the plan. The department's authorized agent  
831 shall periodically review the progress towards achieving the  
832 objectives of the plan in order to:

833 (a) Advise the case staffing committee of the need to make  
834 adjustments to the plan;

835 (b) Recommend a child in need of services petition be  
836 filed by the department; or

837 (c) Terminate the case as indicated by successful or  
838 substantial achievement of the objectives of the plan.

839 (7) The parent, legal guardian, or custodian may convene a  
840 meeting of the case staffing committee. A case staffing  
841 committee meeting requested by a parent, guardian, or legal  
842 custodian must be convened within 7 days, excluding weekends and  
843 legal holidays, after the date the department's representative  
844 receives the request in writing.

845 (8) Any other member of the committee may convene a  
846 meeting if voluntary family services have been offered and the  
847 services have been rejected by the child or family, or the child  
848 has not made measurable progress toward achieving the service  
849 plan goals, and the member finds that doing so is in the best  
850 interest of the family or child.

851 (9) A case staffing committee meeting must be convened  
 852 within 30 days after the date the case is referred by the court  
 853 pursuant to s. 984.151.

854 (10) Within 7 days after meeting, the case staffing  
 855 committee shall provide the parent, legal guardian, or custodian  
 856 with a written report that details the reasons for the  
 857 committee's decision to recommend, or decline to recommend, that  
 858 the department file a petition alleging that the child is a  
 859 child in need of services.

860 (11) The case staffing committee may reconvene from time  
 861 to time as may be necessary to make adjustments to the plan.

862 **Section 23. For the purpose of incorporating the amendment**  
 863 **made by this act to section 984.03, Florida Statutes, in a**  
 864 **reference thereto, subsection (3) of section 984.13, Florida**  
 865 **Statutes, is reenacted to read:**

866 984.13 Taking a child into custody.—

867 (3) If the child is taken into custody and is delivered to  
 868 a shelter, the department's authorized agent shall review the  
 869 facts and make such further inquiry as necessary to determine  
 870 whether the child shall remain in shelter, receive voluntary  
 871 family services that would allow the child alleged to be from a  
 872 family in need of services to remain at home, or be released.

873 **Section 24. For the purpose of incorporating the amendment**  
 874 **made by this act to section 984.03, Florida Statutes, in a**  
 875 **reference thereto, subsection (23) of section 985.03, Florida**

876 **Statutes, is reenacted to read:**

877 985.03 Definitions.—As used in this chapter, the term:

878 (23) "Family in need of services" has the same meaning as  
879 provided in s. 984.03.

880 **Section 25. For the purpose of incorporating the amendment**  
881 **made by this act to section 984.09, Florida Statutes, in a**  
882 **reference thereto, subsection (33) of section 984.03, Florida**  
883 **Statutes, is reenacted to read:**

884 984.03 Definitions.—When used in this chapter, the term:

885 (33) "Shelter" means a department-approved shelter  
886 facility for the temporary care of runaway children; for  
887 children placed for voluntary shelter respite upon request of  
888 the child or the child's parent, legal guardian, or custodian;  
889 or for placement of a child who has been adjudicated a child in  
890 need of services or who has been found in contempt of court  
891 under s. 984.09. Shelters must provide 24-hour continual  
892 supervision. A shelter must be licensed by the Department of  
893 Children and Families as a licensed child-caring agency.

894 **Section 26. For the purpose of incorporating the amendment**  
895 **made by this act to section 984.09, Florida Statutes, in a**  
896 **reference thereto, subsection (1) of section 984.07, Florida**  
897 **Statutes, is reenacted to read:**

898 984.07 Right to counsel; waiver; appointed counsel;  
899 compensation.—

900 (1) When a petition is filed alleging that a child is a

901 child in need of services or if the child is subject to contempt  
902 proceedings under s. 984.09, the child must be represented by  
903 counsel at each court appearance. The court must appoint counsel  
904 unless the child is not indigent and has counsel present to  
905 represent the child or the record in that proceeding  
906 affirmatively demonstrates by clear and convincing evidence that  
907 the child knowingly and intelligently waived the right to  
908 counsel after being fully advised by the court of the nature of  
909 the proceedings and the dispositional alternatives available to  
910 the court. If the child waives counsel at any proceeding, the  
911 court shall advise the child with respect to the right to  
912 counsel at every subsequent hearing.

913 **Section 27. For the purpose of incorporating the amendment**  
914 **made by this act to section 984.09, Florida Statutes, in a**  
915 **reference thereto, subsection (12) of section 984.151, Florida**  
916 **Statutes, is reenacted to read:**

917 984.151 Early truancy intervention; truancy petition;  
918 judgment.—

919 (12) The court may not order a child placed in shelter  
920 pursuant to this section unless the court has found the child to  
921 be in contempt for violation of a court order under s. 984.09.

922 **Section 28.** This act shall take effect upon becoming a  
923 law.