

House Bill No. 4049

An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 984.226(6), F.S., relating to preliminary and final reports to the Legislature on the pilot program for physically secure facilities for children in need of services; repealing s. 985.303(9), F.S., relating to severability of provisions involving neighborhood restorative justice; repealing s. 985.307, F.S., relating to juvenile assignment centers; amending ss. 985.209 and 985.215, F.S.; deleting references, to conform; providing an effective date.

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

Section 1. Subsection (6) of section 984.226, Florida Statutes, is repealed.

Section 2. Subsection (9) of section 985.303, Florida Statutes, is repealed.

Section 3. Section 985.307, Florida Statutes, is repealed.

Section 4. Subsection (7) of section 985.209, Florida Statutes, is amended to read:

985.209 Juvenile assessment centers.—

(7) The department may utilize juvenile assessment centers to the fullest extent possible for the purpose of conducting predisposition assessments and evaluations of youth, ~~except where a juvenile assignment center is located.~~ Assessments and evaluations may be conducted by juvenile assessment center staff on a youth while he or she is in a juvenile detention center awaiting placement in a residential commitment facility. If feasible, a youth may be transported from a juvenile detention center to a juvenile assessment center for the purpose of conducting an assessment or evaluation. Such assessments and evaluations may include, but are not limited to, needs assessment; substance abuse evaluations; physical and mental health evaluations; psychological evaluations; behavioral assessments; educational assessments; aptitude testing; and vocational testing. To the extent possible, the youth's parents or guardians and other family members should be involved in the assessment and evaluation process. All information, conclusions, treatment recommendations, and reports derived from any assessment and evaluation performed on a youth shall be included as a part of the youth's commitment packet and shall accompany the youth to the residential commitment facility in which the youth is placed.

Section 5. Paragraphs (a), (c), and (d) of subsection (10) of section 985.215, Florida Statutes, are amended to read:

985.215 Detention.—

(10)(a)1. When a child is committed to the Department of Juvenile Justice awaiting dispositional placement, removal of the child from detention

care shall occur within 5 days, excluding Saturdays, Sundays, and legal holidays. Any child held in secure detention during the 5 days must meet detention admission criteria pursuant to this section. If the child is committed to a moderate-risk residential program, the department may seek an order from the court authorizing continued detention for a specific period of time necessary for the appropriate residential placement of the child. However, such continued detention in secure detention care may not exceed 15 days after commitment, excluding Saturdays, Sundays, and legal holidays, and except as otherwise provided in this subsection.

2. The court must place all children who are adjudicated and awaiting placement in a residential commitment program in detention care. Children who are in home detention care or nonsecure detention care may be placed on electronic monitoring. ~~A child committed to a moderate-risk residential program may be held in a juvenile assignment center pursuant to s. 985.307 until placement or commitment is accomplished.~~

(c) If the child is committed to a high-risk residential program, the child must be held in detention care ~~or in a juvenile assignment center pursuant to s. 985.307~~ until placement or commitment is accomplished.

(d) If the child is committed to a maximum-risk residential program, the child must be held in detention care ~~or in an assignment center pursuant to s. 985.307~~ until placement or commitment is accomplished.

Section 6. This act shall take effect upon becoming a law.

Approved by the Governor June 19, 2000.

Filed in Office Secretary of State June 19, 2000.