

House Bill No. 5021

An act relating to sexually violent predators; amending s. 394.916, F.S.; providing that a trial in a proceeding to commit a sexually violent predator may be continued once if specified conditions are met; providing that no additional continuances may be granted unless a court finds that a manifest injustice would occur; creating s. 394.932, F.S.; requiring the Justice Administrative Commission to maintain a registry of mental health and other experts; providing for advertising of the registry; requiring the commission to advise registry users that it is their responsibility to verify a listed person's qualifications; providing for electronic publication; providing an effective date.

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

Section 1. Subsection (2) of section 394.916, Florida Statutes, is amended to read:

394.916 Trial; counsel and experts; indigent persons; jury.—

(2) The trial may be continued once upon the request of either party for not more than 120 days upon ~~and~~ a showing of good cause, or by the court on its own motion in the interests of justice, when the person will not be substantially prejudiced. No additional continuances may be granted unless the court finds that a manifest injustice would otherwise occur.

Section 2. Section 394.932, Florida Statutes, is created to read:

394.932 Registry of experts.—The Justice Administrative Commission shall maintain a registry of mental health and other experts who are available and willing to provide examinations and expert testimony in proceedings held under this part. The commission shall advertise the registry in professional trade publications on a periodic basis and shall list the name and contact information for all persons holding themselves out to be qualified to provide examinations and expert testimony pursuant to this part upon request. It shall be the sole responsibility of parties using the services of a person listed on the registry to verify the qualifications of that person. The commission shall advise all parties that use the registry that it has not verified the professional qualifications of the persons listed on the registry and that it is the party's responsibility to verify the person's professional qualifications. The commission may electronically publish the names and contact information of persons requesting to be listed on the registry.

Section 3. This act shall take effect July 1, 2006.

Approved by the Governor May 25, 2006.

Filed in Office Secretary of State May 25, 2006.