

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 reenacting s. 112.1912(1)(a), F.S., relating to first

26 responders, death benefits for educational expenses,  
27 to incorporate the amendment made to s. 112.19, F.S.,  
28 in a reference thereto; reenacting ss. 384.287(1),  
29 493.6102(1), 741.31(4)(b), 782.07(4), and 790.233(3),  
30 F.S., relating to screening for sexually transmissible  
31 disease, inapplicability of this chapter, violation of  
32 an injunction for protection against domestic  
33 violence, manslaughter, aggravated manslaughter of an  
34 elderly person or disabled adult, aggravated  
35 manslaughter of a child, aggravated manslaughter of an  
36 officer, a firefighter, an emergency medical  
37 technician, or a paramedic, possession of firearm or  
38 ammunition prohibited when person is subject to an  
39 injunction against committing acts of domestic  
40 violence, stalking, or cyberstalking, penalties, to  
41 incorporate the amendment made to s. 943.10, F.S., in  
42 references thereto; reenacting ss. 39.01(1) and  
43 (37)(e), 44.1011(2)(d), 44.102(2)(d), 984.04(1),  
44 984.071(1), 984.10(1) and (2), 984.12, 984.13(3), and  
45 985.03(23), F.S., relating to definitions in  
46 proceedings relating to children, definitions in  
47 dependency mediation, court-ordered mediation, early  
48 truancy intervention, families in need of services and  
49 children in need of services, procedures and  
50 jurisdiction, resources and information, intake, case

51 staffing, services and treatment related to a family  
 52 in need of services, taking a child into custody, and  
 53 definitions relating to juvenile justice,  
 54 respectively, to incorporate the amendment made to s.  
 55 984.03, F.S., in references thereto; reenacting ss.  
 56 984.03(33), 984.07(1), and 984.151(12), F.S., relating  
 57 to definitions relating to children and families in  
 58 need of services, right to counsel, waiver, appointed  
 59 counsel, compensation, and early truancy intervention,  
 60 truancy petition, judgment, respectively, to  
 61 incorporate the amendment made to s. 984.09, F.S., in  
 62 references thereto; providing an effective date.

63

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

65

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

68 14.33 Medal of Heroism.—

69 (1) The Governor may award a Medal of Heroism of  
 70 appropriate design, with ribbons and appurtenances, to a law  
 71 enforcement, correctional, ~~or~~ correctional probation officer,  
 72 juvenile detention officer, or juvenile probation officer, as  
 73 defined in s. 943.10(14); a firefighter, as defined in s.  
 74 112.191(1)(b); an emergency medical technician, as defined in s.  
 75 401.23; or a paramedic, as defined in s. 401.23. A recipient

76 | must have distinguished himself or herself conspicuously by  
77 | gallantry and intrepidity, must have risked his or her life  
78 | deliberately above and beyond the call of duty while performing  
79 | duty in his or her respective position, and must have engaged in  
80 | hazardous or perilous activities to preserve lives with the  
81 | knowledge that such activities might result in great personal  
82 | harm.

83 |       **Section 2. Section 112.19, Florida Statutes, is amended to**  
84 | **read:**

85 |       112.19 Law enforcement, correctional, and correctional  
86 | probation officers; death benefits.—

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

88 |       (a) "Employer" means a state board, commission,  
89 | department, division, bureau, or agency, or a county,  
90 | municipality, or other political subdivision of the state, which  
91 | employs, appoints, or otherwise engages the services of law  
92 | enforcement, correctional, or correctional probation officers.

93 |       (b) "Fresh pursuit" means the pursuit of a person who has  
94 | committed or is reasonably suspected of having committed a  
95 | felony, misdemeanor, traffic infraction, or violation of a  
96 | county or municipal ordinance. The term does not imply instant  
97 | pursuit, but pursuit without unreasonable delay.

98 |       (c) "Insurance" means insurance procured from a stock  
99 | company or mutual company or association or exchange authorized  
100 | to do business as an insurer in this state.

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

119 (2) (a) The sum of \$75,000 must be paid as provided in this  
 120 section when a law enforcement, correctional, or correctional  
 121 probation officer, while engaged in the performance of the  
 122 officer's law enforcement duties, is accidentally killed or  
 123 receives accidental bodily injury which results in the loss of  
 124 the officer's life, provided that such killing is not the result  
 125 of suicide and that such bodily injury is not intentionally

126 self-inflicted.

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

131 1. As a result of the officer's response to fresh pursuit;

132 2. As a result of the officer's response to what is  
133 reasonably believed to be an emergency;

134 3. At the scene of a traffic accident to which the officer  
135 has responded; or

136 4. While the officer is enforcing what is reasonably  
137 believed to be a traffic law or ordinance.

138

139 This sum is in addition to any sum provided for in paragraph  
140 (a).

141 (c) If a law enforcement, correctional, or correctional  
142 probation officer, while engaged in the performance of the  
143 officer's law enforcement duties, is unlawfully and  
144 intentionally killed or dies as a result of such unlawful and  
145 intentional act, the sum of \$225,000 must be paid as provided in  
146 this section.

147 (d) Such payments, pursuant to paragraphs (a), (b), and  
148 (c), whether secured by insurance or not, must be made to the  
149 beneficiary designated by such law enforcement, correctional, or  
150 correctional probation officer in writing, signed by the officer

151 and delivered to the employer during the officer's lifetime. If  
152 no such designation is made, then the payments must be paid to  
153 the officer's surviving child or children and to the officer's  
154 surviving spouse in equal portions, and if there is no surviving  
155 child or spouse, then to the officer's parent or parents. If a  
156 beneficiary is not designated and there is no surviving child,  
157 spouse, or parent, then the sum must be paid to the officer's  
158 estate.

159 (e) Such payments, pursuant to paragraphs (a), (b), and  
160 (c), are in addition to any workers' compensation or retirement  
161 plan benefits and are exempt from the claims and demands of  
162 creditors of such law enforcement, correctional, or correctional  
163 probation officer.

164 (f) If a full-time law enforcement, correctional, or  
165 correctional probation officer who is certified pursuant to  
166 chapter 943 and employed by a state agency is killed in the line  
167 of duty while the officer is engaged in the performance of law  
168 enforcement duties or as a result of an assault against the  
169 officer under riot conditions:

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

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

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

192           1. At the time of the employee's death, the child is  
193 dependent upon the employee for support; and

194           2. The surviving child continues to be dependent for  
195 support, or the surviving child is a full-time or part-time  
196 student and is dependent for support.

197           (h)1. Any employer who employs a full-time law  
198 enforcement, correctional, or correctional probation officer  
199 who, on or after January 1, 1995, suffers a catastrophic injury,  
200 as defined in s. 440.02, Florida Statutes 2002, in the line of



201 duty shall pay the entire premium of the employer's health  
202 insurance plan for the injured employee, the injured employee's  
203 spouse, and for each dependent child of the injured employee  
204 until the child reaches the age of majority or until the end of  
205 the calendar year in which the child reaches the age of 25 if  
206 the child continues to be dependent for support, or the child is  
207 a full-time or part-time student and is dependent for support.  
208 The term "health insurance plan" does not include supplemental  
209 benefits that are not part of the basic group health insurance  
210 plan. If the injured employee subsequently dies, the employer  
211 shall continue to pay the entire health insurance premium for  
212 the surviving spouse until remarried, and for the dependent  
213 children, under the conditions outlined in this paragraph.

214 However:

215 a. Health insurance benefits payable from any other source  
216 shall reduce benefits payable under this section.

217 b. It is unlawful for a person to willfully and knowingly  
218 make, or cause to be made, or to assist, conspire with, or urge  
219 another to make, or cause to be made, any false, fraudulent, or  
220 misleading oral or written statement to obtain health insurance  
221 coverage as provided under this paragraph. A person who violates  
222 this sub-subparagraph commits a misdemeanor of the first degree,  
223 punishable as provided in s. 775.082 or s. 775.083.

224 c. In addition to any applicable criminal penalty, upon  
225 conviction for a violation as described in sub-subparagraph b.,

226 a law enforcement, correctional, or correctional probation  
227 officer or other beneficiary who receives or seeks to receive  
228 health insurance benefits under this paragraph shall forfeit the  
229 right to receive such health insurance benefits, and shall  
230 reimburse the employer for all benefits paid due to the fraud or  
231 other prohibited activity. For purposes of this sub-  
232 subparagraph, the term "conviction" means a determination of  
233 guilt that is the result of a plea or trial, regardless of  
234 whether adjudication is withheld.

235 2. In order for the officer, spouse, and dependent  
236 children to be eligible for such insurance coverage, the injury  
237 must have occurred while the officer was in the line of duty or  
238 engaged in an official training exercise. Except as otherwise  
239 provided herein, this paragraph may not be construed to limit  
240 health insurance coverage for which the officer, spouse, or  
241 dependent children may otherwise be eligible, except that a  
242 person who qualifies under this section is not eligible for the  
243 health insurance subsidy provided under chapter 121, chapter  
244 175, or chapter 185.

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

248 (3) If a law enforcement, correctional, or correctional  
249 probation officer is accidentally killed as specified in  
250 paragraph (2) (b) on or after June 22, 1990, but before July 1,

251 2019, or unlawfully and intentionally killed as specified in  
252 paragraph (2)(c) on or after July 1, 1980, but before July 1,  
253 2019, the state must waive certain educational expenses that the  
254 child or spouse of the deceased officer incurs while obtaining a  
255 career certificate, an undergraduate education, or a  
256 postgraduate education. The amount waived by the state must be  
257 in an amount equal to the cost of tuition and matriculation and  
258 registration fees for a total of 120 credit hours. The child or  
259 spouse may attend a state career center, a Florida College  
260 System institution, or a state university on either a full-time  
261 or part-time basis. The benefits provided to a child under this  
262 subsection shall continue until the child's 25th birthday. The  
263 benefits provided to a spouse under this subsection must  
264 commence within 5 years after the death occurs, and entitlement  
265 thereto shall continue until the 10th anniversary of that death.

266 (a) Upon failure of any child or spouse who receives a  
267 waiver in accordance with this subsection to comply with the  
268 ordinary and minimum requirements regarding discipline and  
269 scholarship of the institution attended, such benefits must be  
270 withdrawn as to the child or spouse and no further moneys may be  
271 expended for the child's or spouse's benefits so long as such  
272 failure or delinquency continues.

273 (b) Only a student in good standing in his or her  
274 respective institution may receive the benefits provided in this  
275 subsection.

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

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

290 (b) Payment of benefits to beneficiaries of state  
291 employees, or of the premiums to cover the risk, under this  
292 section must be paid from existing funds otherwise appropriated  
293 to the department employing the law enforcement, correctional,  
294 or correctional probation officers.

295 (5) The State Board of Education shall adopt rules and  
296 procedures, and the Board of Governors shall adopt regulations  
297 and procedures, as are appropriate and necessary to implement  
298 the educational benefits provisions of this section.

299 (6) Notwithstanding any provision of this section to the  
300 contrary, the death benefits provided in paragraphs (2) (c) and

301 (g) shall also be applicable and paid in cases where an officer  
 302 received bodily injury before July 1, 1993, and subsequently  
 303 died on or after July 1, 1993, as a result of such in-line-of-  
 304 duty injury attributable to an unlawful and intentional act, or  
 305 an act of violence inflicted by another, or an assault on the  
 306 officer under riot conditions. Payment of such benefits must be  
 307 in accordance with this section. This subsection may not be  
 308 construed to limit death benefits for which those individuals  
 309 listed in paragraph (2)(d) may otherwise be eligible.

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

313 112.193 Law enforcement, correctional, ~~and~~ correctional  
 314 probation, juvenile detention, and juvenile probation officers'  
 315 commemorative service awards.—

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

317 (b) "Law enforcement, correctional, ~~or~~ correctional  
 318 probation, juvenile detention, or juvenile probation officer"  
 319 means any full-time, part-time, or auxiliary officer as defined  
 320 in s. 943.10(14).

321 (2) Each employer that employs or appoints law  
 322 enforcement, correctional, ~~or~~ correctional probation, juvenile  
 323 detention, or juvenile probation officers may present to each  
 324 such employee who retires under any provision of a state or  
 325 municipal retirement system, including medical disability

326 retirement, or who is eligible to retire under any such  
327 provision but, instead, resigns from one employer to accept an  
328 elected public office, one complete uniform including the badge  
329 worn by that officer, the officer's service handgun, if one was  
330 issued as part of the officer's equipment, and an identification  
331 card clearly marked "RETIRED."

332 (3) Upon the death of a law enforcement, correctional, ~~or~~  
333 correctional probation, juvenile detention, or juvenile  
334 probation officer, the employer may present to the spouse or  
335 other beneficiary of the officer, upon request, one complete  
336 uniform, including the badge worn by the officer. However, if a  
337 law enforcement, correctional, ~~or~~ correctional probation,  
338 juvenile detention, or juvenile probation officer is killed in  
339 the line of duty, the employer may present, upon request, to the  
340 spouse or other beneficiary of the officer the officer's  
341 service-issued handgun, if one was issued as part of the  
342 officer's equipment. If the employer is not in possession of the  
343 service-issued handgun, the employer may, within its discretion,  
344 and upon written request of the spouse or other beneficiary,  
345 present a similar handgun. The provisions of this section shall  
346 also apply in that instance to a law enforcement or correctional  
347 officer who died before May 1, 1993. In addition, the officer's  
348 service handgun may be presented by the employer for any such  
349 officer who was killed in the line of duty prior to this act  
350 becoming a law.

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

353           112.194 Law enforcement ~~and~~ correctional, juvenile  
354 detention, and juvenile probation officers' Medal of Valor.—

355           (1) Any state board, commission, department, division,  
356 bureau, or agency, or any county or municipality that employs or  
357 appoints law enforcement officers, ~~or~~ correctional officers,  
358 juvenile detention officers, or juvenile probation officers, as  
359 defined in s. 943.10(14), may establish an award program to  
360 award a Medal of Valor to any such officer whose actions are  
361 extraordinary and expose the officer to peril beyond the call of  
362 duty.

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

367           **Section 5. Paragraph (a) of subsection (1) of section**  
368 **787.035, Florida Statutes, is amended to read:**

369           787.035 Sheltering unmarried minors; aiding unmarried  
370 minor runaways; violations.—

371           (1) (a) A person who is not an authorized agent of the  
372 Department of Juvenile Justice or the Department of Children and  
373 Families may not knowingly shelter an unmarried minor for more  
374 than 24 hours without the consent of the minor's parent or  
375 guardian or without notifying a law enforcement officer of the

376 | minor's name and the fact that the minor is being provided  
 377 | shelter.

378 |       **Section 6. Subsection (14) of section 943.10, Florida**  
 379 | **Statutes, is amended, and new subsections (23) and (24) are**  
 380 | **added to that section, to read:**

381 |       943.10 Definitions; ss. 943.085-943.255.—The following  
 382 | words and phrases as used in ss. 943.085-943.255 are defined as  
 383 | follows:

384 |       (14) "Officer" means any person employed or appointed as a  
 385 | full-time, part-time, or auxiliary law enforcement officer,  
 386 | correctional officer, ~~or~~ correctional probation officer,  
 387 | juvenile detention officer, or juvenile probation officer.

388 |       (23) "Juvenile detention officer" means an officer who is  
 389 | responsible for the direct supervision of youth who are held in  
 390 | secure detention.

391 |       (24) "Juvenile probation officer" means an authorized  
 392 | agent of the Department of Juvenile Justice who performs the  
 393 | intake, case management, or supervision functions.

394 |       **Section 7. Subsection (15) of section 984.03, Florida**  
 395 | **Statutes, is amended to read:**

396 |       984.03 Definitions.—When used in this chapter, the term:

397 |       (15) "Family in need of services" means a family that has  
 398 | a child who is running away; who is ungovernable and  
 399 | persistently disobeying reasonable and lawful demands of the  
 400 | parent, ~~or~~ legal guardian, or custodian and is beyond the



401 control of the parent, ~~or~~ legal guardian, or custodian; or who  
402 is a habitual truant or engaging in other serious behaviors that  
403 place the child at risk of future abuse, neglect, or abandonment  
404 or at risk of entering the juvenile justice system. The child  
405 must be referred to a law enforcement agency, the department, or  
406 an agency contracted to provide services to children in need of  
407 services. A family is not eligible to receive voluntary family  
408 services if, at the time of the referral, the child is currently  
409 under court-ordered supervision by the department for  
410 delinquency under chapter 985 or under court-ordered supervision  
411 by the Department of Children and Families under chapter 39.

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

414 984.09 Punishment for contempt of court; alternative  
415 sanctions.—

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

422 **Section 9. For the purpose of incorporating the amendment**  
423 **made by this act to section 112.19, Florida Statutes, in a**  
424 **reference thereto, paragraph (a) of subsection (1) of section**  
425 **112.1912, Florida Statutes, is reenacted to read:**

426 112.1912 First responders; death benefits for educational  
 427 expenses.—

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

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

433 **Section 10. For the purpose of incorporating the amendment**  
 434 **made by this act to section 943.10, Florida Statutes, in a**  
 435 **reference thereto, subsection (1) of section 384.287, Florida**  
 436 **Statutes, is reenacted to read:**

437 384.287 Screening for sexually transmissible disease.—

438 (1) An officer as defined in s. 943.10(14); support  
 439 personnel as defined in s. 943.10(11) who are employed by the  
 440 Department of Law Enforcement, including, but not limited to,  
 441 any crime scene analyst, forensic technologist, or crime lab  
 442 analyst; firefighter as defined in s. 633.102; or ambulance  
 443 driver, paramedic, or emergency medical technician as defined in  
 444 s. 401.23, acting within the scope of employment, who comes into  
 445 contact with a person in such a way that significant exposure,  
 446 as defined in s. 381.004, has occurred may request that the  
 447 person be screened for a sexually transmissible disease that can  
 448 be transmitted through a significant exposure.

449 **Section 11. For the purpose of incorporating the amendment**  
 450 **made by this act to section 943.10, Florida Statutes, in a**

451 **reference thereto, subsection (1) of section 493.6102, Florida**  
452 **Statutes, is reenacted to read:**

453 493.6102 Inapplicability of this chapter.—This chapter  
454 shall not apply to:

455 (1) Any individual who is an "officer" as defined in s.  
456 943.10(14) or is a law enforcement officer of the United States  
457 Government, while such local, state, or federal officer is  
458 engaged in her or his official duties or when performing off-  
459 duty security activities approved by her or his superiors.

460 **Section 12. For the purpose of incorporating the amendment**  
461 **made by this act to section 943.10, Florida Statutes, in a**  
462 **reference thereto, paragraph (b) of subsection (4) of section**  
463 **741.31, Florida Statutes, is reenacted to read:**

464 741.31 Violation of an injunction for protection against  
465 domestic violence.—

466 (4)

467 (b)1. It is a violation of s. 790.233, and a misdemeanor  
468 of the first degree, punishable as provided in s. 775.082 or s.  
469 775.083, for a person to violate a final injunction for  
470 protection against domestic violence by having in his or her  
471 care, custody, possession, or control any firearm or ammunition.

472 2. It is the intent of the Legislature that the  
473 disabilities regarding possession of firearms and ammunition are  
474 consistent with federal law. Accordingly, this paragraph shall  
475 not apply to a state or local officer as defined in s.

476 943.10(14), holding an active certification, who receives or  
477 possesses a firearm or ammunition for use in performing official  
478 duties on behalf of the officer's employing agency, unless  
479 otherwise prohibited by the employing agency.

480 **Section 13. For the purpose of incorporating the amendment**  
481 **made by this act to section 943.10, Florida Statutes, in a**  
482 **reference thereto, subsection (4) of section 782.07, Florida**  
483 **Statutes, is reenacted to read:**

484 782.07 Manslaughter; aggravated manslaughter of an elderly  
485 person or disabled adult; aggravated manslaughter of a child;  
486 aggravated manslaughter of an officer, a firefighter, an  
487 emergency medical technician, or a paramedic.—

488 (4) A person who causes the death, through culpable  
489 negligence, of an officer as defined in s. 943.10(14), a  
490 firefighter as defined in s. 112.191, an emergency medical  
491 technician as defined in s. 401.23, or a paramedic as defined in  
492 s. 401.23, while the officer, firefighter, emergency medical  
493 technician, or paramedic is performing duties that are within  
494 the course of his or her employment, commits aggravated  
495 manslaughter of an officer, a firefighter, an emergency medical  
496 technician, or a paramedic, a felony of the first degree,  
497 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

498 **Section 14. For the purpose of incorporating the amendment**  
499 **made by this act to section 943.10, Florida Statutes, in a**  
500 **reference thereto, subsection (3) of section 790.233, Florida**

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

502 790.233 Possession of firearm or ammunition prohibited  
503 when person is subject to an injunction against committing acts  
504 of domestic violence, stalking, or cyberstalking; penalties.—

505 (3) It is the intent of the Legislature that the  
506 disabilities regarding possession of firearms and ammunition are  
507 consistent with federal law. Accordingly, this section does not  
508 apply to a state or local officer as defined in s. 943.10(14),  
509 holding an active certification, who receives or possesses a  
510 firearm or ammunition for use in performing official duties on  
511 behalf of the officer's employing agency, unless otherwise  
512 prohibited by the employing agency.

513 **Section 15. For the purpose of incorporating the amendment**  
514 **made by this act to section 984.03, Florida Statutes, in**  
515 **references thereto, subsection (1) and paragraph (e) of**  
516 **subsection (37) of section 39.01, Florida Statutes, are**  
517 **reenacted to read:**

518 39.01 Definitions.—When used in this chapter, unless the  
519 context otherwise requires:

520 (1) "Abandoned" or "abandonment" means a situation in  
521 which the parent or legal custodian of a child or, in the  
522 absence of a parent or legal custodian, the caregiver, while  
523 being able, has made no significant contribution to the child's  
524 care and maintenance or has failed to establish or maintain a  
525 substantial and positive relationship with the child, or both.

526 For purposes of this subsection, "establish or maintain a  
527 substantial and positive relationship" includes, but is not  
528 limited to, frequent and regular contact with the child through  
529 frequent and regular visitation or frequent and regular  
530 communication to or with the child, and the exercise of parental  
531 rights and responsibilities. Marginal efforts and incidental or  
532 token visits or communications are not sufficient to establish  
533 or maintain a substantial and positive relationship with a  
534 child. A man's acknowledgment of paternity of the child does not  
535 limit the period of time considered in determining whether the  
536 child was abandoned. The term does not include a surrendered  
537 infant as described in s. 383.50, a "child in need of services"  
538 as defined in chapter 984, or a "family in need of services" as  
539 defined in chapter 984. The absence of a parent, legal  
540 custodian, or caregiver responsible for a child's welfare, who  
541 is a servicemember, by reason of deployment or anticipated  
542 deployment as defined in 50 U.S.C. s. 3938(e), may not be  
543 considered or used as a factor in determining abandonment. The  
544 incarceration, repeated incarceration, or extended incarceration  
545 of a parent, legal custodian, or caregiver responsible for a  
546 child's welfare may support a finding of abandonment.

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

549 (e) Abandons the child. Within the context of the  
550 definition of "harm," the term "abandoned the child" or

551 "abandonment of the child" means a situation in which the parent  
552 or legal custodian of a child or, in the absence of a parent or  
553 legal custodian, the caregiver, while being able, has made no  
554 significant contribution to the child's care and maintenance or  
555 has failed to establish or maintain a substantial and positive  
556 relationship with the child, or both. For purposes of this  
557 paragraph, "establish or maintain a substantial and positive  
558 relationship" includes, but is not limited to, frequent and  
559 regular contact with the child through frequent and regular  
560 visitation or frequent and regular communication to or with the  
561 child, and the exercise of parental rights and responsibilities.  
562 Marginal efforts and incidental or token visits or  
563 communications are not sufficient to establish or maintain a  
564 substantial and positive relationship with a child. The term  
565 "abandoned" does not include a surrendered infant as described  
566 in s. 383.50, a child in need of services as defined in chapter  
567 984, or a family in need of services as defined in chapter 984.  
568 The incarceration, repeated incarceration, or extended  
569 incarceration of a parent, legal custodian, or caregiver  
570 responsible for a child's welfare may support a finding of  
571 abandonment.

572 **Section 16. For the purpose of incorporating the amendment**  
573 **made by this act to section 984.03, Florida Statutes, in a**  
574 **reference thereto, paragraph (d) of subsection (2) of section**  
575 **44.1011, Florida Statutes, is reenacted to read:**

576 44.1011 Definitions.—As used in this chapter:

577 (2) "Mediation" means a process whereby a neutral third  
 578 person called a mediator acts to encourage and facilitate the  
 579 resolution of a dispute between two or more parties. It is an  
 580 informal and nonadversarial process with the objective of  
 581 helping the disputing parties reach a mutually acceptable and  
 582 voluntary agreement. In mediation, decisionmaking authority  
 583 rests with the parties. The role of the mediator includes, but  
 584 is not limited to, assisting the parties in identifying issues,  
 585 fostering joint problem solving, and exploring settlement  
 586 alternatives. "Mediation" includes:

587 (d) "Dependency or in need of services mediation," which  
 588 means mediation of dependency, child in need of services, or  
 589 family in need of services matters. Negotiations in dependency  
 590 or in need of services mediation are primarily conducted by the  
 591 parties. Counsel for each party may attend the mediation  
 592 conference and privately communicate with their clients.  
 593 However, presence of counsel is not required and, in the  
 594 discretion of the mediator and with the agreement of the  
 595 parties, mediation may proceed in the absence of counsel unless  
 596 otherwise ordered by the court.

597 **Section 17. For the purpose of incorporating the amendment**  
 598 **made by this act to section 984.03, Florida Statutes, in a**  
 599 **reference thereto, paragraph (d) of subsection (2) of section**  
 600 **44.102, Florida Statutes, is reenacted to read:**



601 44.102 Court-ordered mediation.—

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

603 (d) In circuits in which a dependency or in need of  
604 services mediation program has been established, may refer to  
605 mediation all or any portion of a matter relating to dependency  
606 or to a child in need of services or a family in need of  
607 services.

608 **Section 18. For the purpose of incorporating the amendment**  
609 **made by this act to section 984.03, Florida Statutes, in a**  
610 **reference thereto, subsection (1) of section 984.04, Florida**  
611 **Statutes, is reenacted to read:**

612 984.04 Early truancy intervention; families in need of  
613 services and children in need of services; procedures and  
614 jurisdiction.—

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

619 **Section 19. For the purpose of incorporating the amendment**  
620 **made by this act to section 984.03, Florida Statutes, in a**  
621 **reference thereto, subsection (1) of section 984.071, Florida**  
622 **Statutes, is reenacted to read:**

623 984.071 Resources and information.—

624 (1) The department shall develop and publish an  
625 information guide that explains the current process under this

626 chapter for obtaining assistance for a child in need of services  
627 or a family in need of services and the community services and  
628 resources available to parents. The information guide shall be  
629 published in a written format for distribution and shall also be  
630 published on the department's website. Each information guide  
631 shall be reviewed annually and updated as appropriate. The  
632 school district shall distribute this information guide to  
633 parents of truant children, and to other parents upon request or  
634 as deemed appropriate by the school district. In addition, the  
635 department shall distribute the information guide to state and  
636 local law enforcement agencies. Any law enforcement officer who  
637 has contact with the parent of a child who is locked out of the  
638 home, who is ungovernable, or who runs away from home shall make  
639 the information guide available to the parent.

640 **Section 20. For the purpose of incorporating the amendment**  
641 **made by this act to section 984.03, Florida Statutes, in**  
642 **references thereto, subsections (1) and (2) of section 984.10,**  
643 **Florida Statutes, are reenacted to read:**

644 984.10 Intake.—

645 (1) Intake shall be performed by the department or the  
646 department's authorized agent. A report alleging that a child is  
647 from a family in need of services shall be made to the intake  
648 office operating in the county in which the child is found or in  
649 which the case arose. Any person or agency, including, but not  
650 limited to, the parent, legal guardian, or custodian, the local

651 school district, a law enforcement agency, or the Department of  
652 Children and Families, having knowledge of the facts may make a  
653 report.

654 (2) A representative of the department shall make a  
655 preliminary determination as to whether the report is complete.  
656 The criteria for the completeness of a report with respect to a  
657 child alleged to be from a family in need of services while  
658 subject to compulsory school attendance shall be governed by s.  
659 984.03. In any case in which the representative of the  
660 department finds that the report is incomplete, the  
661 representative of the department shall return the report without  
662 delay to the person or agency originating the report or having  
663 knowledge of the facts or to the appropriate law enforcement  
664 agency having investigative jurisdiction and request additional  
665 information in order to complete the report.

666 **Section 21. For the purpose of incorporating the amendment**  
667 **made by this act to section 984.03, Florida Statutes, in a**  
668 **reference thereto, section 984.12, Florida Statutes, is**  
669 **reenacted to read:**

670 984.12 Case staffing; services and treatment related to a  
671 family in need of services.—

672 (1) The appropriate representative of the department shall  
673 request a meeting of the family and child with a case staffing  
674 committee to review the case of any family or child who the  
675 department determines is in need of services if:

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

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

680 (c) The representative of the department needs assistance  
681 in developing an appropriate plan for services. The time and  
682 place selected for the meeting shall be convenient for the child  
683 and family.

684 (2) The composition of the case staffing committee shall  
685 be based on the needs of the family and child. It shall include  
686 a representative from the child's school district and a  
687 representative of the department, and may include the  
688 department's authorized agent and a supervisor of the  
689 department's contracted provider; a representative from the area  
690 of health, mental health, substance abuse, or social services; a  
691 representative of the state attorney; a representative of law  
692 enforcement; and any person recommended by the child, family, or  
693 department. The child and the child's parent, legal guardian, or  
694 custodian must be invited to attend the committee meeting.

695 (3) The case staffing committee shall:

696 (a) Identify the family's concerns and contributing  
697 factors.

698 (b) Request the family and child to identify their needs  
699 and concerns.

700 (c) Seek input from the school district and any other

701 persons in attendance with knowledge of the family or child's  
 702 situation and concerns.

703 (d) Consider the voluntary family services or other  
 704 community services that have been offered and the results of  
 705 those services.

706 (e) Identify whether truancy is a concern and evaluate  
 707 compliance with the remedial strategies provided pursuant to s.  
 708 1003.26.

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

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

713 (a) Statement of the concerns.

714 (b) Needs of the child.

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

716 (d) Measurable objectives that address the identified  
 717 problems and needs.

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

719 1. Type of services or treatment.

720 2. Frequency of services or treatment.

721 3. Location.

722 4. Accountable service providers or staff.

723 (f) Timeframes for achieving objectives.

724 (5) Upon receipt of the plan, the child and family shall  
 725 acknowledge their position by accepting or rejecting the

726 services and provisions in writing. If the plan is accepted, it  
727 shall be implemented as soon as is practicable.

728 (6) The assigned case manager shall have responsibility  
729 for implementing the plan. The department's authorized agent  
730 shall periodically review the progress towards achieving the  
731 objectives of the plan in order to:

732 (a) Advise the case staffing committee of the need to make  
733 adjustments to the plan;

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

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

738 (7) The parent, legal guardian, or custodian may convene a  
739 meeting of the case staffing committee. A case staffing  
740 committee meeting requested by a parent, guardian, or legal  
741 custodian must be convened within 7 days, excluding weekends and  
742 legal holidays, after the date the department's representative  
743 receives the request in writing.

744 (8) Any other member of the committee may convene a  
745 meeting if voluntary family services have been offered and the  
746 services have been rejected by the child or family, or the child  
747 has not made measurable progress toward achieving the service  
748 plan goals, and the member finds that doing so is in the best  
749 interest of the family or child.

750 (9) A case staffing committee meeting must be convened

751 within 30 days after the date the case is referred by the court  
752 pursuant to s. 984.151.

753 (10) Within 7 days after meeting, the case staffing  
754 committee shall provide the parent, legal guardian, or custodian  
755 with a written report that details the reasons for the  
756 committee's decision to recommend, or decline to recommend, that  
757 the department file a petition alleging that the child is a  
758 child in need of services.

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

761 **Section 22. For the purpose of incorporating the amendment**  
762 **made by this act to section 984.03, Florida Statutes, in a**  
763 **reference thereto, subsection (3) of section 984.13, Florida**  
764 **Statutes, is reenacted to read:**

765 984.13 Taking a child into custody.—

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

772 **Section 23. For the purpose of incorporating the amendment**  
773 **made by this act to section 984.03, Florida Statutes, in a**  
774 **reference thereto, subsection (23) of section 985.03, Florida**  
775 **Statutes, is reenacted to read:**

776 985.03 Definitions.—As used in this chapter, the term:  
 777 (23) "Family in need of services" has the same meaning as  
 778 provided in s. 984.03.

779 **Section 24. For the purpose of incorporating the amendment**  
 780 **made by this act to section 984.09, Florida Statutes, in a**  
 781 **reference thereto, subsection (33) of section 984.03, Florida**  
 782 **Statutes, is reenacted to read:**

783 984.03 Definitions.—When used in this chapter, the term:  
 784 (33) "Shelter" means a department-approved shelter  
 785 facility for the temporary care of runaway children; for  
 786 children placed for voluntary shelter respite upon request of  
 787 the child or the child's parent, legal guardian, or custodian;  
 788 or for placement of a child who has been adjudicated a child in  
 789 need of services or who has been found in contempt of court  
 790 under s. 984.09. Shelters must provide 24-hour continual  
 791 supervision. A shelter must be licensed by the Department of  
 792 Children and Families as a licensed child-caring agency.

793 **Section 25. For the purpose of incorporating the amendment**  
 794 **made by this act to section 984.09, Florida Statutes, in a**  
 795 **reference thereto, subsection (1) of section 984.07, Florida**  
 796 **Statutes, is reenacted to read:**

797 984.07 Right to counsel; waiver; appointed counsel;  
 798 compensation.—

799 (1) When a petition is filed alleging that a child is a  
 800 child in need of services or if the child is subject to contempt



801 proceedings under s. 984.09, the child must be represented by  
802 counsel at each court appearance. The court must appoint counsel  
803 unless the child is not indigent and has counsel present to  
804 represent the child or the record in that proceeding  
805 affirmatively demonstrates by clear and convincing evidence that  
806 the child knowingly and intelligently waived the right to  
807 counsel after being fully advised by the court of the nature of  
808 the proceedings and the dispositional alternatives available to  
809 the court. If the child waives counsel at any proceeding, the  
810 court shall advise the child with respect to the right to  
811 counsel at every subsequent hearing.

812 **Section 26. For the purpose of incorporating the amendment**  
813 **made by this act to section 984.09, Florida Statutes, in a**  
814 **reference thereto, subsection (12) of section 984.151, Florida**  
815 **Statutes, is reenacted to read:**

816 984.151 Early truancy intervention; truancy petition;  
817 judgment.—

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

821 **Section 27.** This act shall take effect upon becoming a  
822 law.