

By Senator Burt

16-1387-98

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A bill to be entitled
An act relating to the Parole Commission (RAB);
amending s. 947.07, F.S.; providing guidelines
for rulemaking authority; providing an
effective date.

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

Section 1. Section 947.07, Florida Statutes, is
amended to read:

947.07 Rules of the commission; operation and
administration, parole, control release, conditional release,
and conditional medical release and regulations.--

(1) It is the intent of the Legislature to satisfy the
requirements under chapter 120 to provide specific statutory
rulemaking authority and to recognize the need to permit the
commission to use professional expertise and discretion with
regard to its adoption of rules.

(2) The commission may adopt such rules as it
determines best for its governance, which rules must relate
to:

(a) The operation, management, and administration of
the Parole Commission offices throughout the state and its
personnel and functions, including, at a minimum, disciplinary
and removal procedures for Senior Management Selected Exempt
and Career Service employees, commissioner leave time,
provisions for employee safety and health, and standards of
conduct and standards for disciplinary actions for Career
Service employees.

(b) The statutory programs under the jurisdiction and
authority of the commission, including, but not limited to,

1 parole, mutual participation program, control release,
2 conditional release, and conditional medical release, and,
3 more specifically, authority regarding the following as it
4 relates to the commission's programs:

5 1. Definitions:

6 2. Eligibility for programs, eligibility criteria and
7 determinations, interview procedures, objective criteria and
8 guidelines, salient-factor scoring;

9 3. Parole, mutual participation program, control
10 release and conditional medical release, and determination of
11 release dates;

12 4. Commission voting;

13 5. Decisions outside matrix time ranges which involve
14 aggravation or mitigation;

15 6. Actions regarding special types of cases;

16 7. Time in custody calculations;

17 8. Administrative review;

18 9. Commission notification;

19 10. Terms and conditions of supervision;

20 11. Arrest, revocation, and rescission procedures and
21 hearings;

22 12. Early termination of supervision;

23 13. Victim participation, input, and information; and

24 14. Forms.~~The commission shall have power to make~~
25 ~~such rules and regulations as it deems best for its~~
26 ~~governance, including among other things rules of practice and~~
27 ~~procedure and rules prescribing qualifications to be possessed~~
28 ~~by its employees.~~

29 Section 2. This act shall take effect upon becoming a
30 law.

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SENATE SUMMARY

Provides rulemaking authority for the Parole Commission to comply with the requirements under ch. 120, F.S., to provide specific statutory rulemaking authority.