

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

Date: April 14, 1998 Revised: _____

Subject: Inmate Welfare Trust Fund

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Martin</u>	<u>Smith</u>	<u>WM</u>	<u>Favorable</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

The bill creates the Inmate Welfare Trust Fund in the Department of Corrections. The need for this trust fund is the statutory requirement that the department deposit certain proceeds from inmate related revenues (e.g., telephone commissions, canteen sales) into the Inmate Welfare Trust Fund to be used for a variety of purposes to benefit inmates. Although the trust fund is referenced in statute, the trust fund has not been recreated by the Legislature since passage of the 1992 Constitutional amendment that limited trust funds to a 4-year life span. The trust fund, therefore, arguably does not exist.

This bill affects section 915.215 of the Florida Statutes.

II. Present Situation:

Section 945.215, F.S. provides for an Inmate Welfare Trust Fund and specifies that net proceeds from inmate-related revenues such as telephone commissions and profit from canteen and vending machines are to be deposited into the trust fund. The section also provides that the trust fund be used for a variety of education, training, faith-based and other programs that benefit inmates. Although the trust fund is referenced in statute, the trust fund has not been recreated by the Legislature since passage of the 1992 Constitutional amendment that limited trust funds to a 4-year life span. The trust fund, therefore, arguably does not exist.

III. Effect of Proposed Changes:

The bill creates the Inmate Welfare Trust Fund in the Department of Corrections. The bill provides that the receipts into the fund and expenditures from the fund shall be as provided in s. 942.215, F.S. The bill provides that any balance in the fund at the end of a fiscal year shall

remain in the fund and that the bill shall be terminated pursuant to s. 19(f), Art. III, State Constitution, unless terminated sooner. The bill provides that the trust fund shall be reviewed prior to its scheduled termination as provided in chapter 215, F.S.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

This legislation has no fiscal impact on state agencies or state funds, on local governments as a whole or on the private sector. It simply re-creates, without modification, an existing state trust fund and continues the current use of the fund.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
