A bill to be entitled 1 2 An act relating to trust funds; creating s. 3 946.522, F.S.; creating the Prison Industries Trust Fund; providing for administration of the 4 5 trust fund; providing for sources of moneys in the trust fund and purposes for which they may 6 7 be used; exempting the trust fund from s. 8 215.20, F.S.; providing for carryover of the 9 balance from one fiscal year to the next; 10 providing that the trust fund is not subject to 11 s. 19(f)(2), Art. III of the State 12 Constitution; amending s. 946.512, F.S.; 13 providing that certain funds are to be 14 deposited into the Prison Industries Trust Fund 15 rather than the Correctional Work Program Trust 16 Fund; providing a contingent effective date. 17 18 Be It Enacted by the Legislature of the State of Florida: 19 20 Section 1. Section 946.522, Florida Statutes, is 21 created to read: 22 946.522 Prison Industries Trust Fund.--23 (1) The Prison Industries Trust Fund is created and 24 shall be administered by the Department of Banking and 25 Finance. The trust fund shall consist of moneys appropriated 26 by the Legislature for expenditures for capital outlay 27 purposes and shall also consist of money deposited by the 28 corporation authorized under this part to manage and operate 29 correctional work programs to be used by the corporation for purposes of construction or renovation of its facilities or

for the expansion or establishment of correctional work

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programs as described in this part or prison industries enhancement (PIE) programs as authorized under s. 946.523.

- The funds must be deposited in the State Treasury and paid out only on warrants drawn by the Comptroller upon receipt of a corporate resolution that has been duly authorized by the board of directors of the corporation authorized in this part to manage and operate correctional work programs. The corporation shall maintain all necessary records and accounts relative to such funds.
- The Prison Industries Trust Fund is exempt from s. 215.20.
- (4) Notwithstanding the provisions of s. 216.301 and pursuant to s. 216.351, any balance in the Prison Industries Trust Fund at the end of any fiscal year shall remain in the trust fund at the end of that year and shall be available for carrying out the purposes of the trust fund.
- (5) Pursuant to the provisions of s. 19(f)(3), Art. III of the State Constitution, the Prison Industries Trust Fund consists of assets held by the state in a trustee capacity as an agent or fiduciary for the corporation authorized under this part, an instrumentality of this state, and is not subject to termination under the provisions of s. 19(f)(2), Art. III of the State Constitution.

Section 2. Section 946.512, Florida Statutes, is amended to read:

946.512 Inmate compensation plan. -- The corporation shall establish a compensation plan that which provides for a specific amount to be paid to the department to be credited to an account for an inmate performing labor and a portion to shall be used to make any court-ordered payments, including 31 restitution to the victim, and a specific amount to be paid to

the Prison Industries department's Correctional Work Program Trust Fund to be used as provided in s. 946.522 s. 946.32. Such funds, excluding victim restitution payments, court-ordered payments, and the amount credited to the account of the inmate, shall be deposited in the Prison Industries department's Correctional Work Program Trust Fund to be used as provided in s. 946.522 s. 946.32. Section 3. This act shall take effect on the effective date of HB , relating to correctional work programs.