

By Representative Peadar

1 A bill to be entitled
2 An act relating to trust funds; creating s.
3 946.522, F.S.; creating the Prison Industries
4 Trust Fund, to be administered by the
5 Department of Banking and Finance; providing
6 for sources of moneys and purposes; providing
7 for exemption from service charges; providing
8 for annual carryforward of funds; acknowledging
9 exemption from automatic termination; amending
10 s. 946.512, F.S.; providing that certain funds
11 are to be deposited into the Prison Industries
12 Trust Fund rather than the Correctional Work
13 Program Trust Fund; providing an effective
14 date.

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

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18 Section 1. Section 946.522, Florida Statutes, is
19 created to read:

20 946.522 Prison Industries Trust Fund.--

21 (1) The Prison Industries Trust Fund is created, to be
22 administered by the Department of Banking and Finance. The
23 trust fund shall consist of moneys appropriated by the
24 Legislature for expenditures for capital outlay purposes and
25 moneys deposited by the corporation authorized under this part
26 to manage and operate correctional work programs, to be used
27 by the corporation for purposes of construction or renovation
28 of its facilities or for the expansion or establishment of
29 correctional work programs as described in this part or for
30 prison industries enhancement (PIE) programs as authorized
31 under s. 946.523.

1 (2) The funds shall be deposited in the State Treasury
2 and paid out only on warrants drawn by the Comptroller upon
3 receipt of a corporate resolution that has been duly
4 authorized by the board of directors of the corporation
5 authorized under this part to manage and operate correctional
6 work programs. The corporation shall maintain all necessary
7 records and accounts relative to such funds.

8 (3) The trust fund is exempt from the service charges
9 imposed by s. 215.20.

10 (4) Notwithstanding s. 216.301 and pursuant to s.
11 216.351, any balance in the trust fund at the end of any
12 fiscal year shall remain in the trust fund at the end of that
13 year and shall be available for carrying out the purposes of
14 the trust fund.

15 (5) Pursuant to s. 19(f)(3), Art. III of the State
16 Constitution, the trust fund consists of assets held by the
17 state, in a trustee capacity, as an agent or fiduciary for the
18 corporation authorized under this part to manage and operate
19 correctional work programs, and is not subject to termination
20 under s. 19(f)(2), Art. III of the State Constitution.

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

23 946.512 Inmate compensation plan.--The corporation
24 shall establish a compensation plan that ~~which~~ provides for a
25 specific amount to be paid to the department to be credited to
26 an account for an inmate performing labor and a portion to
27 ~~shall~~ be used to make any court-ordered payments, including
28 restitution to the victim, and a specific amount to be paid to
29 the Prison Industries ~~department's Correctional Work Program~~
30 Trust Fund to be used as provided in s. 946.522 ~~946.32~~. Such
31 funds, excluding victim restitution payments, court-ordered

1 payments, and the amount credited to the account of the
2 inmate, shall be deposited in the Prison Industries
3 ~~department's Correctional Work Program~~ Trust Fund to be used
4 as provided in s. 946.522 ~~946.32~~.

5 Section 3. This act shall take effect July 1, 2000.

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HOUSE SUMMARY

Creates the Prison Industries Trust Fund, to be administered by the Department of Banking and Finance. Provides for its sources of moneys and purposes. Exempts the trust fund from service charges and provides for annual carryforward of funds. Acknowledges exemption from automatic termination. Provides for certain funds paid to the Department of Corrections under the correctional work program to be deposited into the Prison Industries Trust Fund rather than the department's Correctional Work Program Trust Fund. See bill for details.