

By the Committee on Corrections and 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; providing for administration of the
5 trust fund; providing for sources of moneys in
6 the trust fund and purposes for which they may
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 an effective date.

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

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20 Section 1. Section 946.522, Florida Statutes, is
21 created to read:

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946.522 Prison Industries Trust Fund.--

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(1) The Prison Industries Trust Fund is created, to be
24 administered by the Department of Banking and Finance. The
25 trust fund shall consist of moneys authorized to be deducted
26 pursuant to 18 U.S.C. s. 1761(c) and the applicable federal
27 guidelines, to be appropriated by the Legislature, and moneys
28 deposited by the corporation authorized under this part to
29 manage and operate correctional work programs. The
30 appropriated funds shall be used by the corporation for
31 purposes of construction or renovation of its facilities or

1 for the expansion or establishment of correctional work
2 programs as described in this part or for prison industries
3 enhancement (PIE) programs as authorized under s. 946.523.

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

11 (3) The trust fund is exempt from s. 215.20.

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

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

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

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

1 Trust Fund to be used as provided in s. 946.522 ~~946.32~~. Such
2 funds, excluding victim restitution payments, court-ordered
3 payments, and the amount credited to the account of the
4 inmate, shall be deposited in the Prison Industries
5 ~~department's Correctional Work Program~~ Trust Fund to be used
6 as provided in s. 946.522 ~~946.32~~.

7 Section 3. This act shall take effect upon becoming a
8 law.

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