

By the Committee on Corrections and Representative
Trovillion

1 A bill to be entitled
 2 An act relating to the Inmate Welfare Trust
 3 Fund; amending s. 945.215, F.S.; revising and
 4 clarifying authorized uses of moneys in the
 5 fund; providing limitations; providing an
 6 effective date.

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

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10 Section 1. Paragraphs (a), (b), (c), and (d) of
11 subsection (1) of section 945.215, Florida Statutes, are
12 amended to read:

13 945.215 Inmate welfare and employee benefit trust
14 funds.--

15 (1) INMATE WELFARE TRUST FUND; DEPARTMENT OF
16 CORRECTIONS.--

17 (a) The Inmate Welfare Trust Fund constitutes a trust
18 held by the department for the benefit and welfare of inmates
19 incarcerated in correctional facilities operated directly by
20 the department ~~and~~ for visitation and family programs and
21 services in such correctional facilities. Funds shall be
22 credited to the trust fund as follows:

23 1. All funds held in any auxiliary, canteen, welfare,
24 or similar fund in any correctional facility operated directly
25 by the department.

26 2. All net proceeds from operating inmate canteens,
27 vending machines used primarily by inmates and visitors, hobby
28 shops, and other such facilities; however, funds necessary to
29 purchase items for resale at inmate canteens and vending
30 machines must be deposited into local bank accounts designated
31 by the department.

- 1 3. All proceeds from contracted telephone commissions.
2 The department shall develop and update, as necessary,
3 administrative procedures to verify that:
- 4 a. Contracted telephone companies accurately record
5 and report all telephone calls made by inmates incarcerated in
6 correctional facilities under the department's jurisdiction;
- 7 b. Persons who accept collect calls from inmates are
8 charged the contracted rate; and
- 9 c. The department receives the contracted telephone
10 commissions.
- 11 4. Any funds that may be assigned by inmates or
12 donated to the department by the general public or an inmate
13 service organization; however, the department shall not accept
14 any donation from, or on behalf of, any individual inmate.
- 15 ~~5. Repayment of the one-time sum of \$500,000~~
16 ~~appropriated in fiscal year 1996-1997 from the Inmate Welfare~~
17 ~~Trust Fund for correctional work programs pursuant to s.~~
18 ~~946.008.~~
- 19 5.6. All proceeds from:
- 20 a. The confiscation and liquidation of any contraband
21 found upon, or in the possession of, any inmate;
- 22 b. Disciplinary fines imposed against inmates;
- 23 c. Forfeitures of inmate earnings; and
- 24 d. Unexpended balances in individual inmate trust fund
25 accounts of less than \$1.
- 26 6.7. All interest earnings and other proceeds derived
27 from investments of funds deposited in the trust fund. In the
28 manner authorized by law for fiduciaries, the secretary of the
29 department, or the secretary's designee, may invest any funds
30 in the trust fund when it is determined that such funds are
31 not needed for immediate use.

- 1 (b) Funds in the Inmate Welfare Trust Fund must be
2 used exclusively for the following purposes at correctional
3 facilities operated directly by the department:
- 4 1. To operate inmate canteens and vending machines,
5 including purchasing items for resale at inmate canteens and
6 vending machines; employing personnel and inmates to manage,
7 supervise, and operate inmate canteens and vending machines;
8 and covering other operating and fixed capital outlay expenses
9 associated with operating inmate canteens and vending
10 machines;
 - 11 2. To employ personnel to manage and supervise the
12 proceeds from telephone commissions;
 - 13 3. To develop, implement, and maintain the medical
14 copayment accounting system;
 - 15 4. To provide literacy programs, vocational training
16 programs, and educational programs that comply with standards
17 of the Department of Education, including employing personnel
18 and covering other operating and fixed capital outlay expenses
19 associated with providing such programs;
 - 20 5. To operate inmate chapels, faith-based programs,
21 visiting pavilions, visiting services and programs, family
22 services and programs, libraries, and law libraries, including
23 employing personnel and covering other operating and fixed
24 capital outlay expenses associated with operating inmate
25 chapels, faith-based programs, visiting pavilions, visiting
26 services and programs, family services and programs,
27 libraries, and law libraries;
 - 28 6. To purchase and repair televisions and antennae to
29 be used in inmate common areas and visitation areas to provide
30 inmates and their visitors with limited access to non-cable
31 network programming.

1 ~~7.6.~~ To provide for expenses associated with various
2 inmate clubs;

3 ~~8.7.~~ To provide for expenses associated with legal
4 services for inmates;

5 ~~9.8.~~ To provide inmate substance abuse treatment
6 programs and transition and life skills training programs,
7 including employing personnel and covering other operating and
8 fixed capital outlay expenses associated with providing such
9 programs.

10 10. To purchase wellness equipment for use by inmates,
11 including equipment for team sports and fitness activities to
12 support wellness habits, to promote healthy behavior, and to
13 reduce idleness for better institutional management, but
14 excluding free weights.

15 (c) The Legislature shall annually appropriate the
16 funds deposited in the Inmate Welfare Trust Fund. It is the
17 intent of the Legislature that total annual expenditures for
18 providing literacy programs, vocational training programs, and
19 educational programs exceed the combined total annual
20 expenditures for operating inmate chapels, faith-based
21 programs, visiting pavilions, visiting services and programs,
22 televisions, television repairs, family services and programs,
23 libraries, and law libraries, covering expenses associated
24 with inmate clubs, and providing inmate substance abuse
25 treatment programs and transition and life skills training
26 programs.

27 (d) Funds in the Inmate Welfare Trust Fund or any
28 other fund may not be used to purchase cable television
29 service. Such funds may not generally be used, to rent or
30 purchase videocassettes or, videocassette recorders, ~~or other~~
31 ~~audiovisual or electronic equipment used primarily for~~

1 ~~recreation purposes~~. This paragraph does not preclude the
2 purchase or rental of videocassettes or videocassette
3 recorders ~~electronic or audiovisual equipment~~ for inmate
4 training, ~~or~~ educational programs, or the amusement of
5 children in visitation areas.

6 Section 2. This act shall take effect July 1, 2000.

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9 HOUSE SUMMARY

10 Revises and clarifies authorized uses of moneys in the
11 Inmate Welfare Trust Fund.

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