

By the Committee on Criminal Justice and Senator McKay

307-1807-00

1 A bill to be entitled
2 An act relating to the Florida Statutes;
3 repealing various statutory provisions that
4 have become obsolete, have had their effect,
5 have served their purpose, or have been
6 impliedly repealed or superseded; repealing s.
7 775.13(4), F.S., relating to registration of
8 certain convicted felons; amending s. 943.325,
9 F.S.; conforming a cross-reference; repealing
10 s. 944.1053, F.S., relating to certain
11 agreements or contracts for correctional
12 facilities or county detention facilities and
13 the applicability of ch. 86-183, Laws of
14 Florida, thereto, which provision is published
15 elsewhere in statutes; amending s. 945.215,
16 F.S.; deleting a provision relating to
17 repayment of a sum appropriated in fiscal year
18 1996-1997 from the Inmate Welfare Trust Fund
19 for correctional work programs; amending s.
20 947.03, F.S.; deleting provisions relating to
21 tenure and removal of members of the Parole
22 Commission serving on a specified date;
23 providing an effective date.

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

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27 Section 1. Subsection (4) of section 775.13, Florida
28 Statutes, is repealed.

29 Section 2. Paragraph (c) of subsection (10) of section
30 943.325, Florida Statutes, is amended to read:

31 943.325 Blood specimen testing for DNA analysis.--

1 (10)

2 (c) Any person previously convicted of an offense
3 specified in this section, or a crime which, if committed in
4 this state, would be an offense specified in this section, and
5 who is also subject to the registration requirement imposed by
6 s. 775.13, shall be subject to the collection requirement of
7 this section when the appropriate agency described in this
8 section verifies the identification information of the person.
9 The collection requirement of this section does not apply to a
10 person as described in s. 775.13~~(5)~~(6).

11 Section 3. Section 944.1053, Florida Statutes, is
12 repealed.

13 Section 4. Paragraph (a) of subsection (1) of section
14 945.215, Florida Statutes, is amended to read:

15 945.215 Inmate welfare and employee benefit trust
16 funds.--

17 (1) INMATE WELFARE TRUST FUND; DEPARTMENT OF
18 CORRECTIONS.--

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

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

28 2. All net proceeds from operating inmate canteens,
29 vending machines used primarily by inmates and visitors, hobby
30 shops, and other such facilities; however, funds necessary to
31 purchase items for resale at inmate canteens and vending

1 machines must be deposited into local bank accounts designated
2 by the department.

3 3. All proceeds from contracted telephone commissions.
4 The department shall develop and update, as necessary,
5 administrative procedures to verify that:

6 a. Contracted telephone companies accurately record
7 and report all telephone calls made by inmates incarcerated in
8 correctional facilities under the department's jurisdiction;

9 b. Persons who accept collect calls from inmates are
10 charged the contracted rate; and

11 c. The department receives the contracted telephone
12 commissions.

13 4. Any funds that may be assigned by inmates or
14 donated to the department by the general public or an inmate
15 service organization; however, the department shall not accept
16 any donation from, or on behalf of, any individual inmate.

17 ~~5. Repayment of the one-time sum of \$500,000~~
18 ~~appropriated in fiscal year 1996-1997 from the Inmate Welfare~~
19 ~~Trust Fund for correctional work programs pursuant to s.~~
20 ~~946.008.~~

21 5.6. All proceeds from:

22 a. The confiscation and liquidation of any contraband
23 found upon, or in the possession of, any inmate;

24 b. Disciplinary fines imposed against inmates;

25 c. Forfeitures of inmate earnings; and

26 d. Unexpended balances in individual inmate trust fund
27 accounts of less than \$1.

28 6.7. All interest earnings and other proceeds derived
29 from investments of funds deposited in the trust fund. In the
30 manner authorized by law for fiduciaries, the secretary of the
31 department, or the secretary's designee, may invest any funds

1 in the trust fund when it is determined that such funds are
2 not needed for immediate use.

3 Section 5. Subsection (1) of section 947.03, Florida
4 Statutes, is amended to read:

5 947.03 Commissioners; tenure and removal.--

6 (1) ~~Unless otherwise provided by law, each~~
7 ~~commissioner serving on July 1, 1983, shall be permitted to~~
8 ~~remain in office until completion of his or her current term.~~
9 Upon the expiration of the term of any member of the
10 commission, a successor shall be appointed in the manner
11 ~~prescribed pursuant to the provisions of this section, unless~~
12 ~~otherwise provided by law. Members appointed by the Governor~~
13 ~~and Cabinet shall be appointed for a term~~ terms ~~of 6 years,~~
14 unless otherwise provided by law. No person is eligible to be
15 appointed for more than two consecutive 6-year terms.

16 Section 6. This act shall take effect upon becoming a
17 law.

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19 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
20 COMMITTEE SUBSTITUTE FOR
21 Senate Bill 1794

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22 Section 6 was deleted thereby restoring current law in s.
23 947.02(3), F.S.

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