

Bill No. CS for SB 2108

Amendment No. \_\_\_\_

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| <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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Senator Saunders moved the following amendment:

**Senate Amendment (with title amendment)**

On page 8, between lines 10 and 11,

insert:

Section 2. Paragraphs (a), (b), (c), and (d) of subsection (1) of section 945.215, Florida Statutes, are amended to read:

945.215 Inmate welfare and employee benefit trust funds.--

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

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

1. All funds held in any auxiliary, canteen, welfare, or similar fund in any correctional facility operated directly

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1 by the department.

2 2. All net proceeds from operating inmate canteens,  
3 vending machines used primarily by inmates and visitors, hobby  
4 shops, and other such facilities; however, funds necessary to  
5 purchase items for resale at inmate canteens and vending  
6 machines must be deposited into local bank accounts designated  
7 by the department.

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

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

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

16 c. The department receives the contracted telephone  
17 commissions.

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

22 ~~5. Repayment of the one-time sum of \$500,000~~  
23 ~~appropriated in fiscal year 1996-1997 from the Inmate Welfare~~  
24 ~~Trust Fund for correctional work programs pursuant to s.~~  
25 ~~946.008.~~

26 5.6. All proceeds from:

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

29 b. Disciplinary fines imposed against inmates;

30 c. Forfeitures of inmate earnings; and

31 d. Unexpended balances in individual inmate trust fund

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1 accounts of less than \$1.

2 ~~6.7.~~ All interest earnings and other proceeds derived  
3 from investments of funds deposited in the trust fund. In the  
4 manner authorized by law for fiduciaries, the secretary of the  
5 department, or the secretary's designee, may invest any funds  
6 in the trust fund when it is determined that such funds are  
7 not needed for immediate use.

8 (b) Funds in the Inmate Welfare Trust Fund must be  
9 used exclusively for the following purposes at correctional  
10 facilities operated directly by the department:

11 1. To operate inmate canteens and vending machines,  
12 including purchasing items for resale at inmate canteens and  
13 vending machines; employing personnel and inmates to manage,  
14 supervise, and operate inmate canteens and vending machines;  
15 and covering other operating and fixed capital outlay expenses  
16 associated with operating inmate canteens and vending  
17 machines;

18 2. To employ personnel to manage and supervise the  
19 proceeds from telephone commissions;

20 3. To develop, implement, and maintain the medical  
21 copayment accounting system;

22 4. To provide literacy programs, vocational training  
23 programs, and educational programs that comply with standards  
24 of the Department of Education, including employing personnel  
25 and covering other operating and fixed capital outlay expenses  
26 associated with providing such programs;

27 5. To operate inmate chapels, faith-based programs,  
28 visiting pavilions, visiting services and programs, family  
29 services and programs, libraries, and law libraries, including  
30 employing personnel and covering other operating and fixed  
31 capital outlay expenses associated with operating inmate

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1 chapels, faith-based programs, visiting pavilions, visiting  
2 services and programs, family services and programs,  
3 libraries, and law libraries;

4 6. To purchase and repair televisions and antennae to  
5 be used in inmate common areas and visitation areas to provide  
6 inmates and their visitors with limited access to non-cable  
7 network programming.

8 ~~7.6.~~ To provide for expenses associated with various  
9 inmate clubs;

10 ~~8.7.~~ To provide for expenses associated with legal  
11 services for inmates;

12 ~~9.8.~~ To provide inmate substance abuse treatment  
13 programs and transition and life skills training programs,  
14 including employing personnel and covering other operating and  
15 fixed capital outlay expenses associated with providing such  
16 programs.

17 10. To purchase wellness equipment for use by inmates,  
18 including equipment for team sports and fitness activities to  
19 support wellness habits, to promote healthy behavior, and to  
20 reduce idleness for better institutional management, but  
21 excluding free weights.

22 (c) The Legislature shall annually appropriate the  
23 funds deposited in the Inmate Welfare Trust Fund. It is the  
24 intent of the Legislature that total annual expenditures for  
25 providing literacy programs, vocational training programs, and  
26 educational programs exceed the combined total annual  
27 expenditures for operating inmate chapels, faith-based  
28 programs, visiting pavilions, visiting services and programs,  
29 televisions, television repairs, family services and programs,  
30 libraries, and law libraries, covering expenses associated  
31 with inmate clubs, and providing inmate substance abuse

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1 treatment programs and transition and life skills training  
2 programs.

3           (d) Funds in the Inmate Welfare Trust Fund or any  
4 other fund may not be used to purchase cable television  
5 service. Such funds may not generally be used,to rent or  
6 purchase videocassettes or,videocassette recorders,~~or other~~  
7 ~~audiovisual or electronic equipment used primarily for~~  
8 ~~recreation purposes~~. This paragraph does not preclude the  
9 purchase or rental of videocassettes or videocassette  
10 recorders ~~electronic or audiovisual equipment~~ for inmate  
11 training,~~or educational programs~~, or the amusement of  
12 children in visitation areas.

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14 (Redesignate subsequent sections.)

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17 ===== T I T L E   A M E N D M E N T =====

18 And the title is amended as follows:

19           On page 1, lines 2 and 3, delete those lines

20  
21 and insert:

22           An act relating to the health care and wellness  
23           of inmates in the state correctional system;  
24           amending s. 945.215, F.S.; revising and  
25           clarifying authorized uses of moneys in the  
26           Inmate Welfare Trust Fund; providing  
27           limitations; providing

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