

By the Committees on Corrections, Rules & Calendar and Representative Crist

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6           impliedly repealed or superseded; repealing s.  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.; revising a cross reference, to conform;  
10          repealing s. 944.1053, F.S., relating to  
11          certain agreements or contracts for  
12          correctional facilities or county detention  
13          facilities and the applicability of ch. 86-183,  
14          Laws of Florida, thereto, which provision is  
15          published elsewhere in statutes; amending s.  
16          945.215, 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28 Statutes, is repealed.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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