

By the Committee on Crime Prevention, Corrections & Safety  
and Representatives Melvin and Bean

1                                   A bill to be entitled  
2           An act relating to public protection; amending  
3           s. 944.605, F.S.; requiring that the state  
4           attorney and a victim's parent, guardian, next  
5           of kin, or lawful representative be notified  
6           under certain circumstances after the inmate  
7           who committed the crime is approved for  
8           community work release; amending s. 958.07,  
9           F.S.; authorizing the victim of a crime or the  
10          victim's parent, guardian, or next of kin to  
11          review the presentence investigation report  
12          under certain circumstances; amending s.  
13          960.001, F.S.; requiring that a victim's  
14          parent, guardian, or representative be allowed  
15          to be informed, present, and heard in a  
16          criminal or juvenile proceeding; requiring that  
17          a crime victim or witness be informed of the  
18          address confidentiality program; requiring  
19          notice when an inmate is approved for community  
20          work release; requiring that the victim of a  
21          sex offense be informed of the right to have  
22          the courtroom cleared of certain persons when  
23          the victim is testifying about the offense;  
24          prescribing standing of certain persons to  
25          assert a victim's rights; amending s. 921.143,  
26          F.S.; prescribing the right of the parent or  
27          guardian of a minor victim, or the lawful  
28          representative of any of them, to appear and  
29          make a statement at a sentencing hearing;  
30          amending s. 944.606, F.S.; requiring  
31          notification of the victim, the victim's parent

1 or guardian when the victim is a minor, the  
2 lawful representative of any of them, or the  
3 next of kin of a homicide victim when a sexual  
4 offender is being released; amending s. 948.10,  
5 F.S.; requiring notification of the victim, the  
6 victim's parent or guardian when the victim is  
7 a minor, or the next of kin of a homicide  
8 victim when an offender is placed on community  
9 control; amending s. 960.28, F.S.; prohibiting  
10 a medical provider who performs an initial  
11 forensic examination from billing the parent or  
12 guardian of a minor victim for that  
13 examination; amending s. 949.07, F.S.;  
14 providing a compact for the supervision of  
15 adult offenders; authorizing and directing the  
16 Governor to enter into the compact on behalf of  
17 the state; providing purpose; providing  
18 definitions; providing for an Interstate  
19 Commission for Adult Offender Supervision;  
20 providing for governance of the commission;  
21 providing for a State Council for Interstate  
22 Adult Offender Supervision; providing for  
23 membership of the state council; providing for  
24 reimbursement for travel expenses; specifying  
25 powers and duties of the Interstate Commission;  
26 providing for organization and operation of the  
27 commission; providing activities of the  
28 commission; authorizing the commission to adopt  
29 rules; providing for oversight, enforcement,  
30 and resolution of disputes between compacting  
31 states; providing for financing the activities

1 of the commission; providing for the effective  
2 date of the compact; providing for withdrawal,  
3 default, or termination of member states;  
4 providing for judicial enforcement; providing  
5 for severability and construction of the  
6 compact; providing that the compact binds the  
7 member states; amending s. 949.071, F.S.;  
8 redefining the term "state" for purposes of the  
9 compact; creating s. 949.072, F.S.;  
10 establishing the State Council for Interstate  
11 Adult Offender Supervision; providing for  
12 membership and duties; providing for  
13 reimbursement for travel and per diem expenses;  
14 amending s. 949.08, F.S.; providing certain  
15 limitations on the amount paid by the state  
16 under the compact; amending s. 949.09, F.S.;  
17 redesignating ss. 949.07-949.08, F.S., as the  
18 "Interstate Compact for Adult Offender  
19 Supervision"; providing an effective date.  
20

21 WHEREAS, the Interstate Compact for the Supervision of  
22 Parolees and Probationers was established in 1937, is the  
23 earliest corrections compact established among the states, and  
24 has not been amended since its adoption over 62 years ago, and

25 WHEREAS, the complexities of the compact have become  
26 more difficult to administer, and many jurisdictions have  
27 expanded supervision expectations to include practices that  
28 are currently unregulated, such as victim input, victim  
29 notification requirements, and sex offender registration, and

30 WHEREAS, upon the adoption of the Interstate Compact  
31 for Adult Offender Supervision, it is the intent of the

1 Legislature to repeal the previous Interstate Compact for the  
2 Supervision of Parolees and Probationers on the effective date  
3 of this act, NOW, THEREFORE,

4  
5 Be It Enacted by the Legislature of the State of Florida:

6  
7 Section 1. Subsection (1) of section 944.605, Florida  
8 Statutes, is amended to read:

9 944.605 Inmate release; notification.--

10 (1) Within 6 months before the release of an inmate  
11 from the custody of the Department of Corrections or a private  
12 correctional facility by expiration of sentence under s.  
13 944.275, any release program provided by law, or parole under  
14 chapter 947, or as soon as possible if the offender is  
15 released earlier than anticipated, notification of such  
16 anticipated release date shall be made known by the Department  
17 of Corrections ~~appropriate agency~~ to the chief judge of the  
18 circuit in which the offender was sentenced, the appropriate  
19 state attorney, the original arresting law enforcement agency,  
20 the Department of Law Enforcement, and the sheriff as chief  
21 law enforcement officer of the county in which the inmate  
22 plans to reside. In addition, unless otherwise requested by  
23 the victim, the victim's parent or guardian if the victim is a  
24 minor, the lawful representative of the victim or of the  
25 victim's parent or guardian if the victim is a minor, or the  
26 victim's next of kin in the case of a homicide,~~or the~~  
27 ~~personal representative of the victim,~~ the state attorney or,  
28 the Department of Corrections, ~~the Control Release Authority,~~  
29 ~~or the Parole Commission,~~ whichever is appropriate, shall  
30 notify such person within 6 months before the inmate's  
31 release, or as soon as possible if the offender is released

1 earlier than anticipated, when the name and address of such  
2 victim, or the name and address of the parent, guardian, next  
3 of kin, or lawful representative of the victim has been  
4 furnished to the agency. The state attorney shall provide the  
5 latest address documented for the victim, or for the victim's  
6 parent, guardian, next of kin, or lawful representative, as  
7 applicable, to the sheriff with the other documents required  
8 by law for the delivery of inmates to those agencies for  
9 service of sentence. Upon request, within 30 days after an  
10 inmate is approved for community work release, the state  
11 attorney, the victim, the victim's parent or guardian if the  
12 victim is a minor, the victim's next of kin in the case of a  
13 homicide, or the lawful representative of the victim or of the  
14 victim's parent or guardian if the victim is a minor shall be  
15 notified that the inmate has been approved for community work  
16 release. ~~For the purposes of this section, the Parole~~  
17 ~~Commission or the Control Release Authority is the appropriate~~  
18 ~~agency for any type of release it grants, and the Department~~  
19 ~~of Corrections is the appropriate agency for any type of~~  
20 ~~release it authorizes.~~ This section does not imply any repeal  
21 or modification of any provision of law relating to  
22 notification of victims.

23 Section 2. Section 958.07, Florida Statutes, is  
24 amended to read:

25 958.07 Presentence report; access by defendant.--The  
26 defendant is entitled to an opportunity to present to the  
27 court facts which would materially affect the decision of the  
28 court to adjudicate the defendant a youthful offender. The  
29 defendant, his or her attorney, and the state shall be  
30 entitled to inspect all factual material contained in the  
31 comprehensive presentence report or diagnostic reports

1 prepared or received by the department. The victim, the  
2 victim's parent or guardian if the victim is a minor, the  
3 lawful representative of the victim or of the victim's parent  
4 or guardian if the victim is a minor, or the victim's next of  
5 kin in the case of a homicide may review the presentence  
6 investigation report as provided in s. 960.001(1)(g)2.The  
7 court may withhold from disclosure to the defendant and his or  
8 her attorney sources of information which have been obtained  
9 through a promise of confidentiality. In all cases in which  
10 parts of the report are not disclosed, the court shall state  
11 for the record the reasons for its action and shall inform the  
12 defendant and his or her attorney that information has not  
13 been disclosed.

14 Section 3. Paragraphs (a), (c), (e), (g), and (q) of  
15 subsection (1) and subsection (7) of section 960.001, Florida  
16 Statutes, are amended to read:

17 960.001 Guidelines for fair treatment of victims and  
18 witnesses in the criminal justice and juvenile justice  
19 systems.--

20 (1) The Department of Legal Affairs, the state  
21 attorneys, the Department of Corrections, the Department of  
22 Juvenile Justice, the Parole Commission, the State Courts  
23 Administrator and circuit court administrators, the Department  
24 of Law Enforcement, and every sheriff's department, police  
25 department, or other law enforcement agency as defined in s.  
26 943.10(4) shall develop and implement guidelines for the use  
27 of their respective agencies, which guidelines are consistent  
28 with the purposes of this act and s. 16(b), Art. I of the  
29 State Constitution and are designed to implement the  
30 provisions of s. 16(b), Art. I of the State Constitution and  
31 to achieve the following objectives:

1           (a) Information concerning services available to  
2 victims of adult and juvenile crime.--Witness coordination  
3 offices as provided in s. 43.35 shall gather information  
4 regarding the following services in the geographic boundaries  
5 of their respective circuits and shall provide such  
6 information to each law enforcement agency with jurisdiction  
7 within such geographic boundaries. Law enforcement personnel  
8 shall ensure, through distribution of a victim's rights  
9 information card or brochure at the crime scene, during the  
10 criminal investigation, and in any other appropriate manner,  
11 that victims are given, as a matter of course at the earliest  
12 possible time, information about:

13           1. The availability of crime victim compensation, when  
14 applicable;

15           2. Crisis intervention services, supportive or  
16 bereavement counseling, social service support referrals, and  
17 community-based victim treatment programs;

18           3. The role of the victim in the criminal or juvenile  
19 justice process, including what the victim may expect from the  
20 system as well as what the system expects from the victim;

21           4. The stages in the criminal or juvenile justice  
22 process which are of significance to the victim and the manner  
23 in which information about such stages can be obtained;

24           5. The right of a victim, who is not incarcerated,  
25 including the victim's parent or guardian if the victim is a  
26 minor, the lawful representative of the victim or of the  
27 victim's parent or guardian if the victim is a minor, and the  
28 next of kin of a homicide victim, to be informed, to be  
29 present, and to be heard when relevant, at all crucial stages  
30 of a criminal or juvenile proceeding, to the extent that this  
31 right does not interfere with constitutional rights of the

1 accused, as provided by s. 16(b), Art. I of the State  
2 Constitution;

3           6. In the case of incarcerated victims, the right to  
4 be informed and to submit written statements at all crucial  
5 stages of the criminal proceedings, parole proceedings, or  
6 juvenile proceedings; and

7           7. The right of a victim to a prompt and timely  
8 disposition of the case in order to minimize the period during  
9 which the victim must endure the responsibilities and stress  
10 involved to the extent that this right does not interfere with  
11 the constitutional rights of the accused.

12           (c) Information concerning protection available to  
13 victim or witness.--A victim or witness shall be furnished, as  
14 a matter of course, with information on steps that are  
15 available to law enforcement officers and state attorneys to  
16 protect victims and witnesses from intimidation. Victims of  
17 domestic violence shall also be given information about the  
18 address confidentiality program provided under s. 741.403.

19           (e) Advance notification to victim or relative of  
20 victim concerning judicial proceedings; right to be  
21 present.--Any victim, parent, guardian, or lawful  
22 representative ~~relative~~ of a minor who is a victim, or  
23 relative of a homicide victim shall receive from the  
24 appropriate agency, at the address found in the police report  
25 or the victim notification card if such has been provided to  
26 the agency, prompt advance notification, unless the agency  
27 itself does not have advance notification, of judicial and  
28 postjudicial proceedings relating to his or her case,  
29 including all proceedings or hearings relating to:

30           1. The arrest of an accused;

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1           2. The release of the accused pending judicial  
2 proceedings or any modification of release conditions; and

3           3. Proceedings in the prosecution or petition for  
4 delinquency of the accused, including the filing of the  
5 accusatory instrument, the arraignment, disposition of the  
6 accusatory instrument, trial or adjudicatory hearing,  
7 sentencing or disposition hearing, appellate review,  
8 subsequent modification of sentence, collateral attack of a  
9 judgment, and, when a term of imprisonment, detention, or  
10 residential commitment is imposed, the release of the  
11 defendant or juvenile offender from such imprisonment,  
12 detention, or residential commitment by expiration of sentence  
13 or parole and any meeting held to consider such release.

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15 A victim, a victim's parent or guardian if the victim is a  
16 minor, a lawful representative of the victim or of the  
17 victim's parent or guardian if the victim is a minor, or a  
18 victim's next of kin may not be excluded from any portion of  
19 any hearing, trial, or proceeding pertaining to the offense  
20 based solely on the fact that such person is subpoenaed to  
21 testify, unless, upon motion, the court determines such  
22 person's presence to be prejudicial. The appropriate agency  
23 with respect to notification under subparagraph 1. is the  
24 arresting law enforcement agency, and the appropriate agency  
25 with respect to notification under subparagraphs 2. and 3. is  
26 the Attorney General or state attorney, unless the  
27 notification relates to a hearing concerning parole, in which  
28 case the appropriate agency is the Parole Commission. The  
29 Department of Corrections, the Department of Juvenile Justice,  
30 or the sheriff is the appropriate agency with respect to  
31 release by expiration of sentence or any other release program

1 provided by law. Any victim may waive notification at any  
2 time, and such waiver shall be noted in the agency's files.  
3 (g)~~†~~. Consultation with victim or guardian or family  
4 of victim.--  
5 1. In addition to being notified of the provisions of  
6 s. 921.143, the victim of a felony involving physical or  
7 emotional injury or trauma or, in a case in which the victim  
8 is a minor child or in a homicide, the guardian or family of  
9 the victim shall be consulted by the state attorney in order  
10 to obtain the views of the victim or family about the  
11 disposition of any criminal or juvenile case brought as a  
12 result of such crime, including the views of the victim or  
13 family about:  
14 a. The release of the accused pending judicial  
15 proceedings;  
16 b. Plea agreements;  
17 c. Participation in pretrial diversion programs; and  
18 d. Sentencing of the accused.  
19 2. Upon request, the state attorney shall permit the  
20 victim, the victim's parent or guardian if the victim is a  
21 minor, the lawful representative of the victim or of the  
22 victim's parent or guardian if the victim is a minor, or the  
23 victim's next of kin in the case of a homicide to review a  
24 copy of the presentence investigation report prior to the  
25 sentencing hearing if one was completed. Any confidential  
26 information that pertains to medical history, mental health,  
27 or substance abuse and any information that pertains to any  
28 other victim shall be redacted from the copy of the report.  
29 Any person who reviews the report pursuant to this paragraph  
30 must maintain the confidentiality of the report and shall not  
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1 disclose its contents to any person except statements made to  
2 the state attorney or the court.

3 3. When an inmate has been approved for community work  
4 release, the Department of Corrections shall, upon request and  
5 as provided in s. 944.605, notify the victim, the victim's  
6 parent or guardian if the victim is a minor, the lawful  
7 representative of the victim or of the victim's parent or  
8 guardian if the victim is a minor, or the victim's next of kin  
9 if the victim is a homicide victim.

10 (q) Presence of victim advocate during discovery  
11 deposition; testimony of victim of a sexual offense.--At the  
12 request of the victim or the victim's parent, guardian, or  
13 lawful representative, the victim advocate designated by state  
14 attorney's office, sheriff's office, or municipal police  
15 department, or one representative from a not-for-profit victim  
16 services organization, including, but not limited to, rape  
17 crisis centers, domestic violence advocacy groups, and alcohol  
18 abuse or substance abuse groups shall be permitted to attend  
19 and be present during any deposition of the victim. The victim  
20 of a sexual offense shall be informed of the right to have the  
21 courtroom cleared of certain persons as provided in s. 918.16  
22 when the victim is testifying concerning that offense.

23 (7) The victim of a crime, the victim's parent or  
24 guardian if the victim is a minor, and the state attorney,  
25 with the consent of the victim or the victim's parent or  
26 guardian if the victim is a minor, have standing to assert the  
27 rights of a crime victim which are provided by law or s.  
28 16(b), Art. I of the State Constitution.

29 Section 4. Section 921.143, Florida Statutes, is  
30 amended to read:

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1           921.143 Appearance of victim, parent, guardian, lawful  
2 representative, or next of kin to make statement at sentencing  
3 hearing; submission of written statement.--

4           (1) At the sentencing hearing, and prior to the  
5 imposition of sentence upon any defendant who has been  
6 convicted of any felony or who has pleaded guilty or nolo  
7 contendere to any crime, including a criminal violation of a  
8 provision of chapter 316, the sentencing court shall permit  
9 the victim of the crime for which the defendant is being  
10 sentenced, the victim's parent or guardian if the victim is a  
11 minor, the lawful representative of the victim or of the  
12 victim's parent or guardian if the victim is a minor, or the  
13 next of kin of the victim if the victim has died from causes  
14 related to the crime, to:

15           (a) Appear before the sentencing court for the purpose  
16 of making a statement under oath for the record; and

17           (b) Submit a written statement under oath to the  
18 office of the state attorney, which statement shall be filed  
19 with the sentencing court.

20           (2) The state attorney or any assistant state attorney  
21 shall advise all victims or, when appropriate, the victim's  
22 parent, guardian,~~their~~ next of kin, or lawful representative  
23 that statements, whether oral or written, shall relate to the  
24 facts of the case and the extent of any harm, including  
25 social, psychological, or physical harm, financial losses,  
26 loss of earnings directly or indirectly resulting from the  
27 crime for which the defendant is being sentenced, and any  
28 matter relevant to an appropriate disposition and sentence.

29           (3) The court may refuse to accept a negotiated plea  
30 and order the defendant to stand trial.

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1           Section 5. Paragraph (b) of subsection (3) of section  
2 944.606, Florida Statutes, is amended to read:  
3           944.606 Sexual offenders; notification upon release.--  
4           (3)(a) The department must provide information  
5 regarding any sexual offender who is being released after  
6 serving a period of incarceration for any offense, as follows:  
7           1. The department must provide: the sexual offender's  
8 name, any change in the offender's name by reason of marriage  
9 or other legal process, and any alias, if known; the  
10 correctional facility from which the sexual offender is  
11 released; the sexual offender's social security number, race,  
12 sex, date of birth, height, weight, and hair and eye color;  
13 date and county of sentence and each crime for which the  
14 offender was sentenced; a copy of the offender's fingerprints  
15 and a digitized photograph taken within 60 days before  
16 release; the date of release of the sexual offender; and the  
17 offender's intended residence address, if known. The  
18 department shall notify the Department of Law Enforcement if  
19 the sexual offender escapes, absconds, or dies. If the sexual  
20 offender is in the custody of a private correctional facility,  
21 the facility shall take the digitized photograph of the sexual  
22 offender within 60 days before the sexual offender's release  
23 and provide this photograph to the Department of Corrections  
24 and also place it in the sexual offender's file. If the sexual  
25 offender is in the custody of a local jail, the custodian of  
26 the local jail shall notify the Department of Law Enforcement  
27 of the sexual offender's release and provide to the Department  
28 of Law Enforcement the information specified in this paragraph  
29 and any information specified in subparagraph 2. that the  
30 Department of Law Enforcement requests.  
31

1 (b) The department must provide the information  
2 described in subparagraph (a)1. to:

3 1. The sheriff of the county from where the sexual  
4 offender was sentenced;

5 2. The sheriff of the county and, if applicable, the  
6 police chief of the municipality, where the sexual offender  
7 plans to reside;

8 3. The Florida Department of Law Enforcement; ~~and~~

9 4. When requested, the victim of the offense, the  
10 victim's parent or legal guardian if the victim is a minor,  
11 the lawful representative of the victim or of the victim's  
12 parent or guardian if the victim is a minor, or the next of  
13 kin if the victim is a homicide victim; and

14 ~~5.4.~~ Any person who requests such information,  
15  
16 either within 6 months prior to the anticipated release of a  
17 sexual offender, or as soon as possible if an offender is  
18 released earlier than anticipated. All such information  
19 provided to the Department of Law Enforcement must be  
20 available electronically as soon as the information is in the  
21 agency's database and must be in a format that is compatible  
22 with the requirements of the Florida Crime Information Center.

23 Section 6. Subsection (6) of section 948.10, Florida  
24 Statutes, is amended to read:

25 948.10 Community control programs.--

26 (6) Upon written request, when an offender is placed  
27 on community control, the department shall notify:

28 (a) The original arresting law enforcement agency;

29 (b) The sheriff or chief law enforcement officer of  
30 the county in which the offender is to be placed; ~~and~~

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1           (c) The chief officer of any local law enforcement  
2 agency within whose jurisdiction the offender is to be placed;  
3 and

4           (d) The victim of the offense, the victim's parent or  
5 guardian if the victim is a minor, the lawful representative  
6 of the victim or of the victim's parent or guardian if the  
7 victim is a minor, or the next of kin if the victim is a  
8 homicide victim.

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10 Such notification shall include the name and street address of  
11 the offender, the length of supervision, and the nature of the  
12 offense. Update notification must be provided with respect to  
13 violation of the terms or conditions of the placement.

14           Section 7. Subsection (1) of section 960.28, Florida  
15 Statutes, is amended to read:

16           960.28 Payment for victims' initial forensic physical  
17 examinations.--

18           (1) A medical provider who performs an initial  
19 forensic physical examination may not bill a victim, or the  
20 victim's parent or guardian if the victim is a minor, directly  
21 or indirectly for that examination.

22           Section 8. Section 949.07, Florida Statutes, is  
23 amended to read:

24           (Substantial rewording of section. See  
25 s. 949.07, F.S., for present text.)

26           949.07 Compact for the supervision of adult  
27 offenders.--

28           (1) The Legislature finds and declares that this  
29 section is necessary for the immediate preservation of the  
30 public peace, health, and safety.

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DEFINITIONS

(1) As used in this compact, the term:

(a) "Adult" refers to individuals legally classified as adults and to juveniles treated as adults by court order, statute, or operation of law.

(b) "Bylaws" means those bylaws established by the Interstate Commission for its governance or for directing or controlling the Interstate Commission's actions or conduct.

(c) "Compact administrator" means the individual in each compacting state appointed pursuant to the terms of this compact who is responsible for the administration and management of the state's supervision and transfer of offenders subject to the terms of this compact, the rules adopted by the Interstate Commission, and policies adopted by the state council under this compact.

(d) "Compacting state" means any state that has enacted the enabling legislation for this compact.

(e) "Commissioner" means the voting representative of each compacting state appointed pursuant to article III of this compact.

(f) "Interstate Commission" means the Interstate Commission for Adult Offender Supervision established by this compact.

(g) "Member" means the commissioner of a compacting state or designee, who must be a person officially connected with the commissioner.

(h) "Noncompacting state" means any state that has not enacted the enabling legislation for this compact.

(i) "Offender" means an adult placed under, or subject to, supervision as the result of the commission of a criminal offense and released to the community under the jurisdiction

1 of courts, paroling authorities, corrections agencies, or  
2 other criminal justice agencies.

3 (j) "Person" means any individual, corporation,  
4 business enterprise, or other legal entity, either public or  
5 private.

6 (k) "Rules" means acts of the Interstate Commission,  
7 duly adopted pursuant to article VIII of this compact,  
8 substantially affecting interested parties in addition to the  
9 Interstate Commission, which shall have the force and effect  
10 of law in the compacting states.

11 (l) "State" means a state of the United States, the  
12 District of Columbia, and any other territorial possessions of  
13 the United States.

14 (m) "State council" means the resident members of the  
15 State Council for Interstate Adult Offender Supervision  
16 created by each state under article IV of this compact.

17  
18 ARTICLE III

19 THE COMPACT COMMISSION

20 (1) The compacting states hereby create the Interstate  
21 Commission for Adult Offender Supervision. The Interstate  
22 Commission shall be a body corporate and a joint agency of the  
23 compacting states. The Interstate Commission shall have all  
24 the responsibilities, powers, and duties set forth in this  
25 compact, including the power to sue and be sued, and such  
26 additional powers as are conferred upon it by subsequent  
27 action of the respective legislatures of the compacting states  
28 in accordance with the terms of this compact.

29 (2) The Interstate Commission shall consist of  
30 commissioners selected and appointed by resident members of a  
31 State Council for Interstate Adult Offender Supervision for

1 each state. In addition to the commissioners who are the  
2 voting representatives of each state, the Interstate  
3 Commission shall include individuals who are not commissioners  
4 but who are members of interested organizations. Such  
5 noncommissioner members shall include a member of the national  
6 organizations of governors, legislators, state chief justices,  
7 attorneys general, and crime victims. All noncommissioner  
8 members of the Interstate Commission shall be ex officio,  
9 nonvoting members. The Interstate Commission may provide in  
10 its bylaws for such additional, ex officio, nonvoting members  
11 as it deems necessary.

12 (3) Each compacting state represented at any meeting  
13 of the Interstate Commission is entitled to one vote. A  
14 majority of the compacting states shall constitute a quorum  
15 for the transaction of business, unless a larger quorum is  
16 required by the bylaws of the Interstate Commission.

17 (4) The Interstate Commission shall meet at least once  
18 each calendar year. The chairperson may call additional  
19 meetings and, upon the request of 27 or more compacting  
20 states, shall call additional meetings. Public notice shall be  
21 given of all meetings, and meetings shall be open to the  
22 public.

23 (5) The Interstate Commission shall establish an  
24 executive committee that shall include commission officers,  
25 members, and others as determined by the bylaws. The executive  
26 committee shall have the power to act on behalf of the  
27 Interstate Commission during periods when the Interstate  
28 Commission is not in session, with the exception of rulemaking  
29 and amendments to the compact. The executive committee  
30 oversees the day-to-day activities managed by the executive  
31 director and Interstate Commission staff; administers

1 enforcement and compliance with the provisions of the compact  
2 and its bylaws and as directed by the Interstate Commission;  
3 and performs other duties as directed by the Interstate  
4 Commission or set forth in the bylaws.

5  
6 ARTICLE IV

7 THE STATE COUNCIL

8 (1) Each member state shall create a State Council for  
9 Interstate Adult Offender Supervision, which shall appoint the  
10 commissioner who shall serve on the Interstate Commission from  
11 that state. Each state council shall appoint as its  
12 commissioner the compact administrator from that state to  
13 serve on the Interstate Commission in such capacity under or  
14 pursuant to applicable law of the member state. While each  
15 member state may determine the membership of its own state  
16 council, its membership must include at least one  
17 representative each from victims' groups and compact  
18 administrators.

19 (2) The State Council for Interstate Adult Offender  
20 Supervision in this state shall consist of seven members.  
21 These members shall include the compact administrator, a  
22 representative from a victim's assistance organization, and  
23 one at-large member.

24 (a) The Secretary of Corrections, or the secretary's  
25 designee, shall serve as compact administrator and chairperson  
26 of the State Council for Interstate Adult Offender  
27 Supervision. If the Secretary of Corrections elects to appoint  
28 a designee, the designee shall be:

- 29 1. The Deputy Secretary of Corrections;  
30 2. The Director of the Office of Community  
31 Corrections; or



- 1        (c) Oversee, supervise, and coordinate the interstate  
2 movement of offenders subject to the terms of this compact and  
3 any bylaws and rules adopted by the Interstate Commission.
- 4        (d) Enforce compliance with compact provisions,  
5 Interstate Commission rules, and bylaws using all necessary  
6 and proper means, including, but not limited to, the use of  
7 the judicial process.
- 8        (e) Establish and maintain offices.
- 9        (f) Purchase and maintain insurance and bonds.
- 10       (g) Borrow, accept, or contract for services of  
11 personnel, including, but not limited to, members and their  
12 staffs.
- 13       (h) Establish and appoint committees and hire staff  
14 that it deems necessary for the carrying out of its functions,  
15 including, but not limited to, an executive committee as  
16 required by article III, which shall have the power to act on  
17 behalf of the Interstate Commission in carrying out its powers  
18 and duties under this compact.
- 19       (i) Elect or appoint such officers, attorneys,  
20 employees, agents, or consultants as the commission considers  
21 necessary, and fix their compensation, define their duties,  
22 and determine their qualifications, and establish the  
23 commission's personnel policies and programs relating to,  
24 among other things, conflicts of interest, rates of  
25 compensation, and qualifications of personnel.
- 26       (j) Accept any and all donations and grants of money,  
27 equipment, supplies, materials, and services, and receive,  
28 use, and dispose of the same.
- 29       (k) Lease, purchase, accept contributions or donations  
30 of, or otherwise own, hold, improve, or use any property,  
31 real, personal, or mixed.



- 1           (b) Establishing an executive committee and other  
2 committees as necessary and providing reasonable standards and  
3 procedures:
- 4           1. For the establishment of committees; and  
5           2. Governing any general or specific delegation of any  
6 authority or function of the commission.
- 7           (c) Providing reasonable procedures for calling and  
8 conducting meetings of the commission and for ensuring  
9 reasonable notice of each meeting.
- 10           (d) Establishing the titles and responsibilities of  
11 the officers of the commission.
- 12           (e) Providing reasonable standards and procedures for  
13 the establishment of the personnel policies and programs of  
14 the commission. Notwithstanding any civil service or other  
15 similar laws of any compacting state, the bylaws shall  
16 exclusively govern the personnel policies and programs of the  
17 commission.
- 18           (f) Providing a mechanism for concluding the  
19 operations of the commission and the equitable return of any  
20 surplus funds that may exist upon the termination of the  
21 compact after the payment or reserving of all of its debts and  
22 obligations.
- 23           (g) Providing transition rules for the implementation  
24 of the compact.
- 25           (h) Establishing standards and procedures for  
26 compliance and technical assistance in carrying out the  
27 compact.
- 28           (2) OFFICERS AND STAFF.--
- 29           (a) The Interstate Commission, by a majority of the  
30 members, shall elect from among its members a chairperson and  
31 a vice chairperson, each of whom shall have the authority and

1 duties specified in the bylaws. The chairperson or, in his or  
2 her absence or disability, the vice chairperson, shall preside  
3 at all meetings of the commission. The officers so elected  
4 shall serve without compensation or remuneration from the  
5 commission. However, subject to the availability of budgeted  
6 funds, the officers shall be reimbursed for any actual and  
7 necessary costs and expenses incurred by them in the  
8 performance of their duties and responsibilities as officers  
9 of the commission.

10 (b) The commission, through its executive committee,  
11 shall appoint or retain an executive director for such period,  
12 upon such terms and conditions, and for such compensation as  
13 the commission deems appropriate. The executive director shall  
14 serve as secretary to the commission and hire and supervise  
15 other staff as authorized by the commission, but may not be a  
16 member.

17 (3) CORPORATE RECORDS OF THE INTERSTATE  
18 COMMISSION.--The Interstate Commission shall maintain its  
19 corporate books and records in accordance with the bylaws.

20 (4) QUALIFIED IMMUNITY, DEFENSE, AND  
21 INDEMNIFICATION.--

22 (a) The members, officers, executive director, and  
23 employees of the Interstate Commission shall be immune from  
24 suit and liability, either personally or in their official  
25 capacity, for any claim for damage to or loss of property or  
26 personal injury or other civil liability caused or arising out  
27 of any actual or alleged act, error, or omission that occurred  
28 within the scope of commission employment, duties, or  
29 responsibilities. However, this paragraph does not protect any  
30 such person from suit or liability for any damage, loss,  
31

1 injury, or liability caused by the intentional or willful and  
2 wanton misconduct of any such person.

3 (b) The Interstate Commission shall defend the  
4 commissioner of a compacting state, or his or her  
5 representatives or employees, or the commission's  
6 representatives or employees in any civil action seeking to  
7 impose liability arising out of any actual or alleged act,  
8 error, or omission that occurred within the scope of  
9 Interstate Commission employment, duties, or responsibilities  
10 or that the defendant had a reasonable basis for believing  
11 occurred within the scope of Interstate Commission employment,  
12 duties, or responsibilities, if the actual or alleged act,  
13 error, or omission did not result from intentional wrongdoing  
14 on the part of such person.

15 (c) The Interstate Commission shall indemnify and hold  
16 the commissioner of a compacting state, his or her appointed  
17 designee or employees, or the Interstate Commission's  
18 representatives harmless in the amount of any settlement or  
19 judgment obtained against such persons arising out of any  
20 actual or alleged act, error, or omission that occurred within  
21 the scope of Interstate Commission employment, duties, or  
22 responsibilities or that such persons had a reasonable basis  
23 for believing occurred within the scope of Interstate  
24 Commission employment, duties, or responsibilities, if the  
25 actual or alleged act, error, or omission did not result from  
26 gross negligence or intentional wrongdoing on the part of such  
27 person.

28  
29 ARTICLE VII

30 ACTIVITIES OF THE INTERSTATE COMMISSION

31

1       (1) The Interstate Commission shall meet and take such  
2 actions as are consistent with this compact.

3       (2) Except as otherwise provided in this compact and  
4 unless a greater percentage is required by the bylaws, in  
5 order to constitute an act of the Interstate Commission, such  
6 act must be taken at a meeting of the commission and must  
7 receive an affirmative vote of a majority of the members  
8 present.

9       (3) Each member of the commission may cast a vote to  
10 which that compacting state is entitled and may participate in  
11 the business and affairs of the commission. A member shall  
12 vote in person on behalf of the state and may not delegate a  
13 vote to another member state. However, a state council shall  
14 appoint another authorized representative, in the absence of  
15 the commissioner from that state, to cast a vote on behalf of  
16 the member state at a specified meeting. The bylaws may  
17 provide for members' participation in meetings by telephone or  
18 other means of telecommunication or electronic communication.  
19 Any voting conducted by telephone or other means of  
20 telecommunication or electronic communication is subject to  
21 the same quorum requirements as meetings where members are  
22 present in person.

23       (4) The Interstate Commission shall meet at least once  
24 during each calendar year. The chairperson of the commission  
25 may call additional meetings at any time and, upon the request  
26 of a majority of the members, shall call additional meetings.

27       (5) The Interstate Commission's bylaws shall establish  
28 conditions and procedures under which the commission shall  
29 make its information and official records available to the  
30 public for inspection or copying. The commission may exempt  
31 from disclosure any information or official records to the

1 extent that they would adversely affect personal privacy  
2 rights or proprietary interests. In adopting such rules, the  
3 Interstate Commission may make available to law enforcement  
4 agencies records and information otherwise exempt from  
5 disclosure and may enter into agreements with law enforcement  
6 agencies to receive or exchange information or records subject  
7 to nondisclosure and confidentiality provisions.

8 (6) Public notice shall be given of all meetings and  
9 all meetings shall be open to the public, except as set forth  
10 in the rules or as otherwise provided in the compact. The  
11 Interstate Commission shall adopt rules consistent with the  
12 principles contained in the Government in Sunshine Act, 5  
13 U.S.C. s. 552(b), as amended.

14 (a) The Interstate Commission shall keep minutes that  
15 fully and clearly describe all matters discussed in any  
16 meeting and provide a full and accurate summary of any actions  
17 taken and the reasons therefor, including a description of  
18 each of the views expressed on any item and the record of any  
19 roll call vote, reflecting the vote of each member on the  
20 question. All documents considered in connection with any  
21 action must be identified in the minutes.

22 (b) The Interstate Commission shall collect  
23 standardized data concerning the interstate movement of  
24 offenders as directed through its bylaws and rules, which  
25 shall specify the data to be collected, the means of  
26 collection, and data exchange and reporting requirements.

27  
28 ARTICLE VIII  
29 RULEMAKING FUNCTIONS OF  
30 THE INTERSTATE COMMISSION  
31

1       (1) The Interstate Commission shall adopt rules in  
2 order to effectively and efficiently achieve the purposes of  
3 the compact, including transition rules governing  
4 administration of the compact during the period in which it is  
5 being considered and enacted by the states.

6       (2) Rulemaking shall occur pursuant to the criteria  
7 set forth in this article and the bylaws and rules adopted  
8 pursuant thereto. Such rulemaking shall substantially conform  
9 to the principles of the federal Administrative Procedure Act,  
10 5 U.S.C.S. s. 551 et seq., and the federal Advisory Committee  
11 Act, 5 U.S.C.S. App. 2, s. 1 et seq., as amended. All rules  
12 and amendments take effect on the date specified in each rule  
13 or amendment.

14       (3) If a majority of the legislatures of the  
15 compacting states rejects a rule by enactment of a statute or  
16 resolution in the same manner used to adopt the compact, such  
17 rule shall have no further force and effect in any compacting  
18 state.

19       (4) When adopting a rule, the Interstate Commission  
20 shall:

21       (a) Publish the proposed rule stating with  
22 particularity the text of the rule that is proposed and the  
23 reason for the proposed rule;

24       (b) Allow persons to submit written data, facts,  
25 opinions, and arguments, which information must be publicly  
26 available;

27       (c) Provide an opportunity for an informal hearing;  
28 and

29       (d) Adopt a final rule and its effective date, if  
30 appropriate, based on the rulemaking record. Not later than 60  
31 days after a rule is adopted, any interested person may file a

1 petition in the United States District Court for the District  
2 of Columbia or in the federal district court where the  
3 Interstate Commission's principal office is located for  
4 judicial review of such rule. If the court finds that the  
5 Interstate Commission's action is not supported by substantial  
6 evidence, as defined in the federal Administrative Procedure  
7 Act, in the rulemaking record, the court shall hold the rule  
8 unlawful and set it aside. Subjects to be addressed within 12  
9 months after the first meeting must, at a minimum, include:  
10       1. Notice to victims and opportunity to be heard;  
11       2. Offender registration and compliance;  
12       3. Violations and returns;  
13       4. Transfer procedures and forms;  
14       5. Eligibility for transfer;  
15       6. Collection of restitution and fees from offenders;  
16       7. Data collection and reporting;  
17       8. The level of supervision to be provided by the  
18 receiving state;  
19       9. Transition rules governing the operation of the  
20 compact and the Interstate Commission during all or part of  
21 the period between the effective date of the compact and the  
22 date on which the last eligible state adopts the compact; and  
23       10. Mediation, arbitration, and dispute resolution.  
24       (5) The existing rules governing the operation of the  
25 previous compact superseded by this act shall be null and void  
26 12 months after the first meeting of the Interstate Commission  
27 created under this compact.  
28       (6) Upon determination by the Interstate Commission  
29 that an emergency exists, it may adopt an emergency rule that  
30 takes effect immediately upon adoption. However, the usual  
31 rulemaking procedures provided under this compact must be

1 retroactively applied to the rule as soon as reasonably  
2 possible, but not later than 90 days after the effective date  
3 of the rule.

4  
5 ARTICLE IX  
6 OVERSIGHT, ENFORCEMENT, AND  
7 DISPUTE RESOLUTION BY THE  
8 INTERSTATE COMMISSION

9 (1) OVERSIGHT.--

10 (a) The Interstate Commission shall oversee the  
11 interstate movement of adult offenders in the compacting  
12 states and shall monitor activities being administered in  
13 noncompacting states which may significantly affect compacting  
14 states.

15 (b) The courts and executive agencies in each  
16 compacting state shall enforce this compact and shall take all  
17 actions necessary and appropriate to effectuate the compact's  
18 purposes and intent. In any judicial or administrative  
19 proceeding in a compacting state pertaining to the subject  
20 matter of this compact which may affect the powers,  
21 responsibilities, or actions of the Interstate Commission, the  
22 commission is entitled to receive all service of process in  
23 any such proceeding and has standing to intervene in the  
24 proceeding for all purposes.

25 (2) DISPUTE RESOLUTION.--

26 (a) The compacting states shall report to the  
27 Interstate Commission on issues or activities of concern to  
28 them and cooperate with and support the commission in the  
29 discharge of its duties and responsibilities.

30 (b) The Interstate Commission shall attempt to resolve  
31 any disputes or other issues that are subject to the compact

1 and that arise among compacting states and noncompacting  
2 states.

3 (c) The Interstate Commission shall enact a bylaw or  
4 adopt a rule providing for both mediation and binding dispute  
5 resolution for disputes among the compacting states.

6 (3) ENFORCEMENT.--The Interstate Commission, in the  
7 reasonable exercise of its discretion, shall enforce the  
8 provisions of this compact using any or all means set forth in  
9 article XII(2) of this compact.

10  
11 ARTICLE X

12 FINANCE

13 (1) The Interstate Commission shall pay or provide for  
14 the payment of the reasonable expenses of its establishment,  
15 organization, and ongoing activities.

16 (2) The Interstate Commission shall levy on and  
17 collect an annual assessment from each compacting state to  
18 cover the cost of the internal operations and activities of  
19 the Interstate Commission and its staff, which must be in a  
20 total amount sufficient to cover the Interstate Commission's  
21 annual budget as approved each year. The aggregate annual  
22 assessment amount shall be allocated based upon a formula to  
23 be determined by the Interstate Commission, taking into  
24 consideration the population of the state and the volume of  
25 interstate movement of offenders in each compacting state. The  
26 Interstate Commission shall adopt a rule that is binding upon  
27 all compacting states and that governs the assessment.

28 (3) The Interstate Commission may not incur any  
29 obligations of any kind prior to securing the funds adequate  
30 to meet the obligations, and the Interstate Commission may not  
31

1 pledge the credit of any of the compacting states except by  
2 and with the authority of the compacting state.

3 (4) The Interstate Commission shall keep accurate  
4 accounts of all receipts and disbursements. The receipts and  
5 disbursements of the commission are subject to the audit and  
6 accounting procedures established under its bylaws. However,  
7 all receipts and disbursements of funds handled by the  
8 commission shall be audited yearly by a certified or licensed  
9 public accountant, and the report of the audit must be  
10 included in and become part of the annual report of the  
11 commission.

12  
13 ARTICLE XI

14 COMPACTING STATES, EFFECTIVE

15 DATE, AND AMENDMENT

16 (1) Any state, as defined in article II of this  
17 compact, is eligible to become a compacting state.

18 (2) The compact shall become effective and binding  
19 upon legislative enactment of the compact into law by not less  
20 than 35 of the states. The initial effective date shall be the  
21 later of July 1, 2001, or upon enactment into law by the 35th  
22 jurisdiction. Thereafter, the compact shall become effective  
23 and binding as to any other compacting state upon enactment of  
24 the compact into law by that state. The governors of nonmember  
25 states or their designees will be invited to participate in  
26 Interstate Commission activities on a nonvoting basis prior to  
27 adoption of the compact by all states and territories of the  
28 United States.

29 (3) Amendments to the compact may be proposed by the  
30 Interstate Commission for enactment by the compacting states.  
31 An amendment does not become effective and binding upon the

1 Interstate Commission or the compacting states unless and  
2 until it is enacted into law by unanimous consent of the  
3 compacting states.

4  
5 ARTICLE XII

6 WITHDRAWAL, DEFAULT, TERMINATION,  
7 AND JUDICIAL ENFORCEMENT

8 (1) WITHDRAWAL.--

9 (a) Once effective, the compact shall continue in  
10 force and remain binding upon each and every compacting state.  
11 However, a compacting state may withdraw from the compact by  
12 enacting a law specifically repealing the statute that enacted  
13 the compact into law.

14 (b) The effective date of withdrawal is the effective  
15 date of the repeal.

16 (c) The withdrawing state shall immediately notify the  
17 chairperson of the Interstate Commission in writing upon the  
18 introduction of legislation repealing this compact in the  
19 withdrawing state. The Interstate Commission shall notify the  
20 other compacting states of the withdrawing state's intent to  
21 withdraw within 60 days after its receipt of the notice.

22 (d) The withdrawing state is responsible for all  
23 assessments, obligations, and liabilities incurred by it  
24 through the effective date of withdrawal, including any  
25 obligations the performance of which extend beyond the  
26 effective date of withdrawal.

27 (e) Reinstatement following withdrawal of any  
28 compacting state shall occur upon the withdrawing state  
29 reenacting the compact or upon such later date as determined  
30 by the Interstate Commission.

31 (2) DEFAULT.--

1           (a) If the Interstate Commission determines that any  
2 compacting state has at any time defaulted in the performance  
3 of any of its obligations or responsibilities under this  
4 compact, the bylaws, or any adopted rules, the commission may  
5 impose any or all of the following penalties:

6           1. Fines, fees, or costs in amounts deemed to be  
7 reasonable, as fixed by the Interstate Commission;

8           2. Remedial training and technical assistance, as  
9 directed by the Interstate Commission;

10           3. Suspension and termination of membership in the  
11 compact. Suspension shall be imposed only after all other  
12 reasonable means of securing compliance under the bylaws and  
13 rules have been exhausted. Immediate notice of suspension  
14 shall be given by the Interstate Commission to the Governor,  
15 the Chief Justice or chief judicial officer of the state, the  
16 majority and minority leaders of the defaulting state's  
17 legislature, and the state council.

18           (b) The grounds for default include, but are not  
19 limited to, failure of a compacting state to perform the  
20 obligations or responsibilities imposed upon it by this  
21 compact or by Interstate Commission bylaws or rules. The  
22 Interstate Commission shall immediately notify the defaulting  
23 state in writing of the penalty imposed by the commission on  
24 the defaulting state pending a cure of the default. The  
25 commission shall stipulate the conditions and the time period  
26 within which the defaulting state must cure its default. If  
27 the defaulting state fails to cure the default within the time  
28 specified by the commission, in addition to any other  
29 penalties imposed, the defaulting state may be terminated from  
30 the compact upon an affirmative vote of a majority of the  
31 compacting states and all rights, privileges, and benefits

1 conferred by this compact shall be terminated from the  
2 effective date of suspension. Within 60 days after the  
3 effective date of termination of a defaulting state, the  
4 Interstate Commission must notify the Governor, the Chief  
5 Justice or chief judicial officer, the majority and minority  
6 leaders of the defaulting state's legislature, and the state  
7 council of such termination.

8 (c) The defaulting state is responsible for all  
9 assessments, obligations, and liabilities incurred through the  
10 effective date of termination, including any obligations the  
11 performance of which extends beyond the effective date of  
12 termination.

13 (d) The Interstate Commission may not bear any costs  
14 relating to the defaulting state unless otherwise mutually  
15 agreed upon between the Interstate Commission and the  
16 defaulting state. Reinstatement following termination of any  
17 compacting state requires a reenactment of the compact by the  
18 defaulting state and the approval of the Interstate Commission  
19 pursuant to the rules.

20 (3) JUDICIAL ENFORCEMENT.--The Interstate Commission,  
21 by majority vote of the members, may initiate legal action in  
22 the United States District Court for the District of Columbia  
23 or, at the discretion of the Interstate Commission, in the  
24 federal district where the Interstate Commission has its  
25 offices to enforce compliance with the provisions of the  
26 compact for the commission's adopted rules and bylaws against  
27 any compacting state in default. If judicial enforcement is  
28 necessary, the prevailing party shall be awarded all costs of  
29 such litigation, including reasonable attorney's fees.

30 (4) DISSOLUTION OF COMPACT.--  
31

1       (a) The compact dissolves on the date of the  
2 withdrawal or default of the compacting state which reduces  
3 membership in the compact to one compacting state.

4       (b) Upon the dissolution of this compact, the compact  
5 becomes null and void and shall have no further force or  
6 effect, and the business and affairs of the Interstate  
7 Commission shall be concluded and any surplus funds shall be  
8 distributed in accordance with the bylaws.

9  
10                                   ARTICLE XIII

11                                   SEVERABILITY AND CONSTRUCTION

12       (1) The provisions of this compact are severable, and  
13 if any phrase, clause, sentence, or provision is deemed  
14 unenforceable, the remaining provisions of the compact are  
15 enforceable.

16       (2) The provisions of this compact shall be liberally  
17 construed to carry out its purposes.

18  
19                                   ARTICLE XIV

20                                   BINDING EFFECT OF  
21 COMPACT AND OTHER LAWS

22       (1) OTHER LAWS.--

23       (a) Nothing in this compact prevents the enforcement  
24 of any other law of a compacting state which is not  
25 inconsistent with this compact.

26       (b) Any law of a compacting state which conflicts with  
27 this compact is superseded to the extent of the conflict.

28       (2) BINDING EFFECT OF THE COMPACT.--

29       (a) All lawful actions of the Interstate Commission,  
30 including all rules and bylaws adopted by the Interstate  
31 Commission, are binding upon the compacting states.

1       (b) All agreements between the Interstate Commission  
2 and the compacting states are binding in accordance with the  
3 terms of the agreements.

4       (c) Upon the request of a party to a conflict over  
5 meaning or interpretation of Interstate Commission actions,  
6 and upon a majority vote of the compacting states, the  
7 Interstate Commission may issue advisory opinions regarding  
8 such meaning or interpretation.

9       (d) If any provision of this compact exceeds the  
10 constitutional limits imposed on the legislature of any  
11 compacting state, the obligations, duties, powers, or  
12 jurisdiction sought to be conferred by such provision upon the  
13 Interstate Commission shall be ineffective, and such  
14 obligations, duties, powers, or jurisdiction shall remain in  
15 the compacting state and shall be exercised by the agency  
16 thereof to which such obligations, duties, powers, or  
17 jurisdiction are delegated by law in effect at the time this  
18 compact becomes effective.

19       Section 9. Section 949.071, Florida Statutes, is  
20 amended to read:

21       949.071 Definition of "state" as used in s. 949.07;  
22 further declaration relating to interstate compacts.--

23       (1) ~~It is hereby declared that~~ The term "state," as  
24 used in s. 949.07, relating to and authorizing and directing  
25 the Governor to enter into an interstate compact in behalf of  
26 Florida with any state of the United States for out-of-state  
27 supervision of probationers and parolees, and prescribing the  
28 form to be substantially used for any such compact, means any  
29 one of the several states, ~~and the Commonwealth of Puerto~~  
30 ~~Rico, the Virgin Islands, and the District of Columbia, and~~  
31 any other territorial possession of the United States.

1           (2) It is hereby recognized and further declared that  
2 pursuant to the consent and authorization contained in s.  
3 111(b) of Title 4 of the United States Code as added by Pub.  
4 L. No. 970-84th Congress, Ch. 941-2d Session, this state shall  
5 be a party to the said Interstate Compact for Adult Offender  
6 the Supervision, of parolees and probationers with any  
7 additional jurisdiction legally joining in the compact therein  
8 when such jurisdiction enacts the ~~shall have enacted said~~  
9 compact in accordance with the terms thereof.

10           Section 10. Section 949.072, Florida Statutes, is  
11 created to read:

12           949.072 State Council for Interstate Adult Offender  
13 Supervision.--

14           (1) The Secretary of Corrections, or the secretary's  
15 designee, shall serve as the compact administrator for the  
16 state and as the state's commissioner to the Interstate  
17 Commission for Adult Offender Supervision.

18           (2) The State Council for Interstate Adult Offender  
19 Supervision is established and shall consist of seven members.  
20 The Secretary of Corrections, or the secretary's designee,  
21 shall serve as chairperson of the state council. The Governor  
22 shall appoint the remaining members of the state council,  
23 which must include a representative of a victim's assistance  
24 organization.

25           (a) Each member shall be appointed to a 4-year term of  
26 office. In order to achieve staggered terms, of those members  
27 first appointed, three members shall be appointed for terms of  
28 2 years each, and three members shall be appointed for terms  
29 of 4 years each.

30           (b) The state council shall meet at least twice a  
31 year.

1           (c) The members of the state council shall serve  
2 without compensation, but are entitled to reimbursement for  
3 travel and per diem expenses in accordance with s. 112.061.

4           Section 11. Section 949.08, Florida Statutes, is  
5 amended to read:

6           949.08 Department of Corrections to enact rules and  
7 regulations relating to compacts; limitation on assessments.--

8           (1) The Department of Corrections may adopt ~~shall have~~  
9 ~~power and shall be charged with the duty of promulgating such~~  
10 ~~rules and~~ expend ~~regulations and the expenditures of funds as~~  
11 ~~may be deemed~~ necessary to carry out the terms, conditions,  
12 and intents of a compact entered into by the state pursuant to  
13 s. 949.07.

14           (2) Notwithstanding subsection (2) of article X of s.  
15 949.07, the state shall reduce the amount paid as the state's  
16 assessment under the compact entered into under s. 949.07 so  
17 that the total collected from the annual assessment does not  
18 exceed the amount appropriated for the assessment by the  
19 Legislature for any single fiscal year.

20           Section 12. Section 949.09, Florida Statutes, is  
21 amended to read:

22           949.09 Short title: ss. 949.07-949.08.--Sections  
23 949.07-949.08 may be cited ~~shall be known~~ as the "Interstate  
24 Compact for Adult Offender ~~Uniform Law for Out-of-state~~  
25 ~~Probation and Parole~~ Supervision."

26           Section 13. This act shall take effect July 1, 2001.  
27  
28  
29  
30  
31