

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 1966

SPONSOR: Senator Argenziano

SUBJECT: Corrections Department

DATE: April 9, 2003 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Clodfelter</u>	<u>Cannon</u>	<u>CJ</u>	<u>Favorable</u>
2.	<u> </u>	<u> </u>	<u>ACJ</u>	<u> </u>
3.	<u> </u>	<u> </u>	<u>AP</u>	<u> </u>
4.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
5.	<u> </u>	<u> </u>	<u> </u>	<u> </u>
6.	<u> </u>	<u> </u>	<u> </u>	<u> </u>

I. Summary:

This bill amends s. 944.10, F.S., to specifically authorize the Department of Corrections to contract with local, state, or federal governmental entities to provide security services for detention or commitment facilities. The bill also allows the department to charge a fee for such services, and requires that any fees be deposited in the Correctional Work Program Trust Fund.

This bill substantially amends, creates, or repeals the following section of the Florida Statutes: 944.10.

II. Present Situation:

The Department of Corrections (“department”) contracts with the Department of Children and Families to provide perimeter security, court transport, and medical escort security services for sexually violent predators who are housed at the Florida Civil Commitment Center pursuant to the Jimmy Ryce Act. Thirty seven security staff are used under the contract. In addition, the contract includes the provision of supervised inmate labor to maintain the perimeter fencing and grounds and to maintain transport vehicles. The commitment center is located on the grounds of DeSoto Correctional Institution.

Section 944.10, F.S., gives the department the authority to contract with federal, state, or local governmental entities to provide services and inmate labor for the construction of certain projects, including detention or commitment facilities. Section 946.40, F.S., authorizes the department to provide inmate work squads to political subdivisions of the state, state agencies and institutions, and nonprofit corporations. The department is required to provide security if 15 or more inmates are used, but need not do so for groups of less than 15 inmates if the using entity

provides security according to department rules. The statute precludes the department from requiring reimbursement by a political subdivision of the state.

Neither s. 944.10, F.S., nor s. 946.40, F.S., expressly provide authority for the department to provide security services for another state agency, except as an adjunct to an inmate work squad agreement.

III. Effect of Proposed Changes:

The bill amends s. 944.10, F.S., to specifically authorize the department to contract with federal, state, or local entities to provide security services for detention or commitment facilities. The bill also allows the department to charge a fee for such services, and requires that any fees be deposited in the Correctional Work Program Trust Fund.

The amendment to s. 944.10, F.S., will clearly authorize the current arrangement by which the Department of Corrections provides security services for the Florida Civil Commitment Center at which the Department of Children and Families houses sexually violent predators.

The bill provides an effective date of July 1, 2003.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
