



HB 0713

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A bill to be entitled  
 An act relating to transportation of inmates; amending s. 945.091, F.S.; limiting the mode of transport an inmate may use in traveling to and from a place of employment, education, or training; authorizing the Department of Corrections to transport inmates in state-owned vehicles under certain circumstances; creating s. 945.0913, F.S.; prohibiting an inmate from driving a state-owned vehicle to transport inmates in a work-release program; providing an effective date.

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

Section 1. Subsection (1) of section 945.091, Florida Statutes, is amended to read:

945.091 Extension of the limits of confinement; restitution by employed inmates.--

(1) The department may adopt rules permitting the extension of the limits of the place of confinement of an inmate as to whom there is reasonable cause to believe that the inmate will honor his or her trust by authorizing the inmate, under prescribed conditions and following investigation and approval by the secretary, or the secretary's designee, who shall maintain a written record of such action, to leave the confines of that place unaccompanied by a custodial agent for a prescribed period of time to:

(a) Visit, for a specified period, a specifically designated place or places:



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29 1. For the purpose of visiting a dying relative, attending  
 30 the funeral of a relative, or arranging for employment or for a  
 31 suitable residence for use when released;

32 2. To otherwise aid in the rehabilitation of the inmate  
 33 and his or her successful transition into the community; or

34 3. For another compelling reason consistent with the  
 35 public interest, and return to the same or another institution  
 36 or facility designated by the Department of Corrections.

37 (b) Work at paid employment, participate in an education  
 38 or a training program, or voluntarily serve a public or  
 39 nonprofit agency or faith-based service group in the community,  
 40 while continuing as an inmate of the institution or facility in  
 41 which the inmate is confined, except during the hours of his or  
 42 her employment, education, training, or service and traveling  
 43 thereto and therefrom. An inmate may travel to and from his or  
 44 her place of employment, education, or training only by means of  
 45 walking, bicycling, or using public transportation or  
 46 transportation that is provided by a family member or employer.  
 47 Contingent upon specific appropriations, the department may  
 48 transport an inmate in a state-owned vehicle if the inmate is  
 49 unable to obtain other means of travel to his or her place of  
 50 employment, education, or training.

51 1. An inmate may participate in paid employment only  
 52 during the last 36 months of his or her confinement, unless  
 53 sooner requested by the Parole Commission or the Control Release  
 54 Authority.

55 2. While working at paid employment and residing in the  
 56 facility, an inmate may apply for placement at a contracted  
 57 substance abuse transition housing program. The transition  
 58 assistance specialist shall inform the inmate of program



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59 availability and assess the inmate's need and suitability for  
60 transition housing assistance. If an inmate is approved for  
61 placement, the specialist shall assist the inmate. If an inmate  
62 requests and is approved for placement in a contracted faith-  
63 based substance abuse transition housing program, the specialist  
64 must consult with the chaplain prior to such placement. The  
65 department shall ensure that an inmate's faith orientation, or  
66 lack thereof, will not be considered in determining admission to  
67 a faith-based program and that the program does not attempt to  
68 convert an inmate toward a particular faith or religious  
69 preference.

70 (c) Participate in a residential or nonresidential  
71 rehabilitative program operated by a public or private nonprofit  
72 agency, including faith-based service groups, with which the  
73 department has contracted for the treatment of such inmate. The  
74 provisions of ss. 216.311 and 287.057 shall apply to all  
75 contracts between the department and any private entity  
76 providing such services. The department shall require such  
77 agency to provide appropriate supervision of inmates  
78 participating in such program. The department is authorized to  
79 terminate any inmate's participation in the program if such  
80 inmate fails to demonstrate satisfactory progress in the program  
81 as established by departmental rules.

82 Section 2. Section 945.0913, Florida Statutes, is created  
83 to read:

84 945.0913 Inmates prohibited from driving state-owned  
85 vehicles to transport inmates in a work-release program.--An  
86 inmate may not drive a state-owned vehicle for the purpose of  
87 transporting inmates who are participating in a work-release  
88 program authorized in s. 945.091(1)(b).



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Section 3. This act shall take effect October 1, 2003.