

HB 1439

2004

A bill to be entitled

An act relating to restoration of civil rights; amending ss. 940.061, 944.293, and 944.605, F.S.; requiring that the Department of Corrections notify an offender, before discharge from supervision, of procedures by which the offender may apply for restoration of civil rights; requiring that the department assist the offender in completing forms required for restoration of civil rights; requiring that the offender acknowledge by signature receipt of such assistance; amending s. 944.705, F.S.; requiring the department to include in its release-orientation program instruction in the procedures for applying for restoration of civil rights; reenacting s. 944.4731(6), F.S., relating to the Addiction-Recovery Supervision Program, for the purpose of incorporating the amendment to s. 944.705, F.S., in a reference thereto; providing an effective date.

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

Section 1. Section 940.061, Florida Statutes, is amended to read:

940.061 Informing persons about executive clemency and restoration of civil rights.--The Department of Corrections shall inform and educate inmates and offenders on community supervision about the restoration of civil rights and assist eligible inmates and offenders on community supervision with the completion of the application for the restoration of civil rights. To document this notification, the department shall

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30 obtain the signature of each offender before the offender's
 31 discharge acknowledging receipt of assistance in completing the
 32 forms.

33 Section 2. Section 944.293, Florida Statutes, is amended
 34 to read:

35 944.293 Initiation of restoration of civil rights.--With
 36 respect to those persons convicted of a felony, the following
 37 procedure shall apply: Prior to the time an offender is
 38 discharged from supervision, an authorized agent of the
 39 department shall obtain from the Governor the necessary
 40 application and other forms required for the restoration of
 41 civil rights. The authorized agent shall assist the offender in
 42 completing these forms and shall ensure that the application and
 43 all necessary material are forwarded to the Governor before the
 44 offender is discharged from supervision. To document compliance
 45 with this section, before an offender is discharged from
 46 supervision, the department shall obtain the signature of the
 47 offender acknowledging receipt of assistance in completing the
 48 forms required for restoration of civil rights.

49 Section 3. Subsection (6) of section 944.605, Florida
 50 Statutes, is redesignated as subsection (7), and a new
 51 subsection (6) is added to said section, to read:

52 944.605 Inmate release; notification.--

53 (6) Before an inmate's release, the department shall
 54 notify the inmate of the procedures necessary to apply for
 55 restoration of civil rights. Pursuant to ss. 944.293 and 940.03,
 56 the department shall obtain the signature of each inmate before
 57 the inmate's release acknowledging receipt of assistance in
 58 completing the forms.

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59 Section 4. Subsection (2) of section 944.705, Florida
60 Statutes, is amended to read:

61 944.705 Release orientation program.--

62 (2) The release orientation program instruction must
63 include, but is not limited to:

64 (a) Employment skills.

65 (b) Money management skills.

66 (c) Personal development and planning.

67 (d) Special needs.

68 (e) Community reentry concerns.

69 (f) Community reentry support.

70 (g) Procedures to apply for restoration of civil rights.

71 (h)~~(g)~~ Any other appropriate instruction to ensure the
72 inmate's successful reentry into the community.

73 Section 5. For the purpose of incorporating the amendment
74 to section 944.705, Florida Statutes, in a reference thereto,
75 subsection (6) of section 944.4731, Florida Statutes, is
76 reenacted to read:

77 944.4731 Addiction-Recovery Supervision Program.--

78 (6) Six months before an offender is released, the
79 chaplain and transition assistance specialist at the institution
80 where the offender is incarcerated shall initiate the prerelease
81 screening process in addition to the basic release orientation
82 required under s. 944.705.

83 (a) The transition assistance specialist and the chaplain
84 shall provide a list of contracted private providers, including
85 faith-based providers, to the offender and facilitate the
86 application process. The transition assistance specialist shall
87 inform the offender of program availability and assess the

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88 offender's need and suitability for substance abuse transition
89 housing assistance. If an offender is approved for placement,
90 the specialist shall assist the offender and coordinate the
91 release of the offender with the selected program. If an
92 offender requests and is approved for placement in a contracted
93 faith-based substance abuse transition housing program, the
94 specialist must consult with the chaplain prior to such
95 placement. A right to substance abuse program services is not
96 stated, intended, or otherwise implied by this section.

97 (b) If an offender has participated in a faith-based
98 program while incarcerated or housed at a community correctional
99 center and the same or a similar faith-based provider offers a
100 contracted substance abuse transition housing program, the
101 department shall make every attempt to maintain this continuum
102 of care.

103 Section 6. This act shall take effect upon becoming a law.