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2 An act relating to additional employment by
3 state correctional employees; amending s.
4 944.38, F.S.; providing that an officer or
5 employee of the Department of Corrections is
6 not prohibited from accepting other employment
7 or secondary employment under certain
8 conditions; providing an effective date.
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10 Be It Enacted by the Legislature of the State of Florida:

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12 Section 1. Section 944.38, Florida Statutes, is
13 amended to read:

14 944.38 Acceptance of remuneration from contractor;
15 dealing or barter with prisoners; interest in contract;
16 penalty.--

17 (1)(a) ~~An~~ No officer or employee of the department may
18 not shall receive any compensation whatsoever, directly or
19 indirectly, for any act or service that which she or he may do
20 or perform for or on behalf of any officer or employee or
21 agent, or employee of a contractor. ~~An; nor shall any~~ officer
22 or employee of the department or the state may not have an
23 interest be interested, directly or indirectly, in any
24 contract or purchase made, or authorized to be made, by anyone
25 for or on behalf of the department.

26 (b) This subsection does not prevent an officer or
27 employee of the department from accepting other employment or
28 following any pursuit that does not interfere with the full
29 and faithful discharge by the officer or employee of his or
30 her duties to the department. This subsection does not prevent
31 an officer or employee of the department from accepting

1 secondary employment with an entity contracting with the
2 department if the officer or employee does not have
3 responsibilities or involvement with the department's award or
4 management of the contract or with the process of making
5 referrals to or evaluating the contracting entity.

6 (2) An ~~No~~ officer or employee of the department or of
7 the state, or any contractor, or employee of a contractor, may
8 not shall, without permission of the department, make any gift
9 or present to a prisoner, ~~or~~ receive a gift or present the
10 ~~same~~ from any prisoner, or have any barter or dealings with
11 any prisoner.

12 (3) For any violation of the provisions of this
13 section the officer or employee of the state shall be
14 discharged from her or his office or service; and every
15 contractor, or employee, or agent of a contractor engaged
16 therein, and a party thereto, shall be expelled from the
17 institutional grounds, and not again permitted within the same
18 as a contractor, agent, or employee.

19 Section 2. This act shall take effect upon becoming a
20 law.

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