

HB 1895

2004

1 A bill to be entitled
 2 An act relating to the Department of Corrections; amending
 3 s. 944.091, F.S.; authorizing the department to contract
 4 with the Federal Government to house prisoners convicted
 5 in federal courts in this state; specifying conditions to
 6 be included in, and to be excluded from, such contracts;
 7 providing circumstances under which federal prisoners are
 8 subject to laws and rules applicable to persons committed
 9 for violations of laws of this state; providing an
 10 effective date.

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

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 14 Section 1. Section 944.091, Florida Statutes, is amended
 15 to read:

16 944.091 United States prisoners, board authorized.--

17 (1) The department is authorized upon request to board
 18 prisoners of the United States committed to their custody by any
 19 agency of the United States if such prisoners have less than 6
 20 months remaining of their federal sentence, and if such
 21 prisoners have family relationships or job opportunities in this
 22 state, on a space-available basis only. Daily compensation for
 23 the board of such prisoners shall be paid at a rate to be
 24 mutually agreed upon by the department and the appropriate
 25 United States agency. Such compensation is to recover the total
 26 maintenance cost of such prisoners which shall be not less than
 27 the average cost per inmate per day for all inmates confined by
 28 the department.

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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29 (2) The department, when proper and adequate facilities
 30 and personnel are available, may contract with the proper
 31 officials of the United States to provide custody, care,
 32 subsistence, education, treatment, and training for persons
 33 convicted of criminal offenses in the federal courts in this
 34 state.

35 (a) Any such contract must provide:

36 1. For reimbursing this state in full for all costs and
 37 expenses involved;

38 2. For the United States to receive, in exchange, persons
 39 convicted of criminal offenses in the courts of this state to
 40 serve their sentences in appropriate institutions or facilities
 41 of the United States, according to formulas or conditions that
 42 are negotiated in the contract; or

43 3. For the United States to compensate this state by means
 44 of a combination of monetary payment and of receipt of persons
 45 convicted of criminal offenses in the courts of this state,
 46 according to formulas or conditions that are negotiated in the
 47 contract.

48 (b) Such a contract may not provide for this state to
 49 receive more United States prisoners than are transferred to
 50 United States custody under the contract.

51 (3) Unless otherwise specifically provided in the
 52 contract, a person committed to this state under this section is
 53 subject to all the provisions of law and rule applicable to
 54 persons committed for violations of laws of this state not
 55 inconsistent with the sentence imposed.

56 Section 2. This act shall take effect July 1, 2004.