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LEGISLATIVE ACTION

Senate

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The Conference Committee on CS for SB 1722 recommended the following:

Senate Conference Committee Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Present subsection (10) of section 775.082, Florida Statutes, is renumbered as subsection (11), and a new subsection (10) is added to that section, to read:

775.082 Penalties; applicability of sentencing structures; mandatory minimum sentences for certain reoffenders previously released from prison.-



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12 (10) If a defendant is sentenced for an offense committed
13 on or after July 1, 2009, which is a third-degree felony but not
14 a forcible felony as defined in s. 776.08, and excluding any
15 third-degree felony violation under chapter 810, and if the
16 total sentence points pursuant to s. 921.0024 are 22 points or
17 fewer, the court must sentence the offender to a nonstate prison
18 sanction. However, if the court makes written findings that a
19 nonstate prison sanction could present a danger to the public,
20 the court may sentence the offender to a state correctional
21 facility pursuant to this section.

22 Section 2. Section 921.00241, Florida Statutes, is created
23 to read:

24 921.00241 Prison diversion program.-

25 (1) Notwithstanding s. 921.0024 and effective for offenses
26 committed on or after July 1, 2009, a court may divert from the
27 state correctional system an offender who would otherwise be
28 sentenced to a state facility by sentencing the offender to a
29 nonstate prison sanction as provided in subsection (2). An
30 offender may be sentenced to a nonstate prison sanction if the
31 offender meets all of the following criteria:

32 (a) The offender's primary offense is a felony of the third
33 degree.

34 (b) The offender's total sentence points score, as provided
35 in s. 921.0024, is not more than 48 points, or the offender's
36 total sentence points score is 54 points and six of those points
37 are for a violation of probation, community control, or other
38 community supervision, and do not involve a new violation of
39 law.

40 (c) The offender has not been convicted or previously



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41 convicted of a forcible felony as defined in s. 776.08, but
42 excluding any third-degree felony violation under chapter 810.

43 (d) The offender's primary offense does not require a
44 minimum mandatory sentence.

45 (2) If the court elects to impose a sentence as provided in
46 this section, the court shall sentence the offender to a term of
47 probation, community control, or community supervision with
48 mandatory participation in a prison diversion program of the
49 Department of Corrections if such program is funded and exists
50 in the judicial circuit in which the offender is sentenced. The
51 prison diversion program shall be designed to meet the unique
52 needs of each judicial circuit and of the offender population of
53 that circuit. The program may require residential,
54 nonresidential, or day reporting requirements, substance abuse
55 treatment, employment, restitution, academic or vocational
56 opportunities, or community service work.

57 (3) The court that sentences a defendant to a nonstate
58 prison sanction pursuant to subsection (2) shall make written
59 findings that the defendant meets the criteria in subsection (1)
60 and the sentencing order must indicate that the offender was
61 sentenced to the prison diversion program pursuant to subsection
62 (2). The court may order the offender to pay all or a portion of
63 the costs related to the prison diversion program if the court
64 determines that the offender has the ability to pay.

65 Section 3. Paragraph (a) of subsection (3) of section
66 944.10, Florida Statutes, is amended to read:

67 944.10 Department of Corrections to provide buildings; sale
68 and purchase of land; contracts to provide services and inmate
69 labor.-



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70 (3) (a) The department may enter into lease-purchase
71 agreements to provide correctional facilities for the housing of
72 state inmates. However, no such lease-purchase agreement shall
73 be entered into without specific legislative authorization of
74 that agreement, and funds must be specifically appropriated for
75 each lease-purchase agreement. The facilities provided through
76 such agreements shall meet the program plans and specifications
77 of the department. The department may enter into such lease
78 agreements with private corporations and other governmental
79 entities. However, notwithstanding the provisions of s.

80 255.25(3) (a), the department may not enter into ~~no~~ such lease
81 agreement may be entered into except upon advertisement for and
82 receipt of competitive bids and award to the lowest and best
83 bidder, unless the lease-purchase agreement is entered into with
84 the Department of Management Services, the Florida Correctional
85 Finance Corporation, or the successors or assignees of either.

86 Section 4. The amendments to s. 944.10(3) (a), Florida
87 Statutes, made by this act shall expire July 1, 2010, and the
88 text of that paragraph shall revert to that in existence on June
89 30, 2009, except that any amendments to such text enacted other
90 than by this act shall be preserved and continue to operate to
91 the extent that such amendments are not dependent upon the
92 portions of such text which expire pursuant to this section.

93 Section 5. Section 944.171, Florida Statutes, is created to
94 read:

95 944.171 Housing of inmates.-

96 (1) Notwithstanding s. 944.17, the department may contract
97 with county or municipal facilities for the purpose of housing
98 inmates committed to the department.



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99 (a) Notwithstanding ss. 944.17 and 944.1905, before
100 transferring a state inmate to another facility as authorized
101 under this section, the inmate must be reclassified and scored
102 as to custody risk based on the current offense and not on prior
103 criminal history. Upon return to a state correctional
104 institution, the inmate must be reclassified based on ss. 944.17
105 and 944.1905.

106 (b) Any inmate placed in another facility under this
107 section remains under the jurisdiction of the department.

108 (2) Notwithstanding s. 944.17, the department may enter
109 into contracts with another state, a political subdivision of
110 another state, or a correctional management services vendor in
111 another state for the transfer and confinement in that state of
112 inmates who have been committed to the custody of the
113 department.

114 (a) Any such contract must include:

115 1. A termination date.

116 2. Provisions concerning the costs of inmate maintenance,
117 extraordinary medical and dental expenses, and any participation
118 in or receipt by inmates of rehabilitative or correctional
119 services, facilities, programs, or treatment, including those
120 costs not reasonably included as part of normal maintenance.

121 3. Provisions concerning participation in programs of
122 inmate employment, if any, the disposition or crediting of any
123 payments received by inmates on account of employment, and the
124 crediting of proceeds or disposal of any products resulting from
125 employment.

126 4. Provisions for the delivery and retaking of inmates.

127 5. A provision for a waiver of extradition by the parties



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128 to the contract.

129 6. Retention of jurisdiction of the inmates transferred by
130 Florida.

131 7. Regular reporting procedures concerning Florida inmates
132 by officials of the state, political subdivision, or
133 correctional management services vendor with which the
134 department is contracting.

135 8. Provisions concerning procedures for community
136 supervision, including probation, parole, conditional release,
137 and discharge.

138 9. The same standards of reasonable and humane care as the
139 inmates would receive in an appropriate institution in this
140 state.

141 10. Any other matters that are necessary and appropriate to
142 establish the obligations, responsibilities, and rights of
143 Florida and the state, political subdivision, or correctional
144 management services vendor with which the department is
145 contracting.

146 (b) Inmates from Florida state prisons while in an
147 institution in another state are subject to all the laws and
148 rules concerning the confinement of persons committed for
149 violations of the laws of that state, except that the sentence
150 must be executed consistent with the sentencing and gain-time
151 laws of this state and except as otherwise provided for by any
152 contract entered into under this section.

153 (c) The Florida Parole Commission shall conduct any parole
154 hearing for an inmate confined under a contract pursuant to this
155 section according to the rules of the commission.

156 (d) Contracts under this section shall be procured in



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157 accordance with s. 287.057.

158 (3) Any beds contracted under this section shall be added
159 to the total capacity of the correctional system as defined in
160 s. 944.023, notwithstanding any law to the contrary.

161 (4) In making placements authorized by this section, the
162 department shall consider, to the extent possible, the proximity
163 of the receiving facility to the inmate's family, consistent
164 with s. 944.8031.

165 (5) The Department of Corrections may adopt rules to
166 administer this section.

167 Section 6. Paragraph (a) of subsection (1) of section
168 945.6037, Florida Statutes, is amended to read:

169 945.6037 Nonemergency health care; inmate copayments.—

170 (1) (a) ~~Effective October 1, 1997,~~ For each nonemergency
171 visit by an inmate to a health care provider which ~~visit~~ is
172 initiated by the inmate, the inmate must make a copayment of \$5
173 \$4. A copayment may not be charged for the required initial
174 medical history and physical examination of the inmate.

175 Section 7. Section 945.604, Florida Statutes, is created to
176 read:

177 945.604 Medical claims.—

178 (1) DEFINITION OF "CLAIM."—As used in this section, for a
179 noninstitutional health care provider the term "claim" means a
180 paper or electronic billing instrument submitted to the
181 department which consists of the HCFA 1500 data set, or its
182 successor, and has all mandatory entries for a physician
183 licensed under chapter 458, chapter 459, chapter 460, chapter
184 461, or chapter 463 or a psychologist licensed under chapter
185 490, or any appropriate billing instrument that has all



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186 mandatory entries for any other noninstitutional health care
187 provider. For an institutional health care provider, the term
188 "claim" means a paper or electronic billing instrument submitted
189 to the department which consists of the UB-92 data set, or its
190 successor, with entries stated as mandatory by the National
191 Uniform Billing Committee.

192 (2) SUBMISSION DATE.—Claims for payment or underpayment are
193 considered submitted on the date the claim for payment is mailed
194 or electronically transferred to the department by the health
195 care provider. Claims for overpayment are considered submitted
196 on the date the claim for overpayment is mailed or
197 electronically transferred to the health care provider by the
198 department.

199 (3) CLAIMS FOR PAYMENT OR UNDERPAYMENT.—

200 (a) Claims for payment or underpayment must be submitted to
201 the department within 6 months after the following have
202 occurred:

203 1. The discharge of the inmate for inpatient services
204 rendered to the inmate or the date of service for outpatient
205 services rendered to the inmate; and

206 2. The health care provider has been furnished with the
207 correct name and address of the department.

208 (b) Claims for payment or underpayment must not duplicate a
209 claim previously submitted unless it is determined the original
210 claim was not received or is otherwise lost.

211 (c) The department is not obligated to pay claims for
212 payment or underpayment which were not submitted in accordance
213 with paragraph (a).

214 (4) CLAIMS FOR OVERPAYMENT.—



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215 (a) If the department determines that it has made an
216 overpayment to a health care provider for services rendered to
217 an inmate, it must make a claim for such overpayment to the
218 provider's designated location. The department shall provide a
219 written or electronic statement specifying the basis for
220 overpayment. The department must identify the claim or claims,
221 or overpayment claim portion thereof, for which a claim for
222 overpayment is submitted.

223 (b) The department must submit a claim for overpayment to a
224 health care provider within 30 months after the department's
225 payment of the claim, except that claims for overpayment may be
226 submitted beyond that time from providers convicted of fraud
227 pursuant to s. 817.234.

228 (c) Health care providers are not obligated to pay claims
229 for overpayment which were not submitted in accordance with
230 paragraph (b).

231 (d) A health care provider must pay, deny, or contest the
232 department's claim for overpayment within 40 days after the
233 receipt of the claim for overpayment.

234 (e) A health care provider that denies or contests the
235 department's claim for overpayment or any portion of a claim
236 shall notify the department, in writing, within 40 days after
237 the provider receives the claim. The notice that the claim for
238 overpayment is denied or contested must identify the contested
239 portion of the claim and the specific reason for contesting or
240 denying the claim and, if contested, must include a request for
241 additional information.

242 (f) All contested claims for overpayment must be paid or
243 denied within 120 days after receipt of the claim. Failure to



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244 pay or deny the claim for overpayment within 140 days after
245 receipt creates an uncontestable obligation to pay the claim.

246 (g) The department may not reduce payment to the health
247 care provider for other services unless the provider agrees to
248 the reduction or fails to respond to the department's claim for
249 overpayment as required by this subsection.

250 (5) NONWAIVER OF PROVISIONS.—The provisions of this section
251 may not be waived, voided, or nullified by contract.

252 Section 8. Section 945.6041, Florida Statutes, is created
253 to read:

254 945.6041 Inmate medical services.—

255 (1) As used in this section, the term:

256 (a) "Emergency medical transportation services" includes,
257 but is not limited to, services rendered by ambulances,
258 emergency medical services vehicles, and air ambulances as those
259 terms are defined in s. 401.23.

260 (b) "Health care provider" has the same meaning as provided
261 in s. 766.105.

262 (2) Compensation to a health care provider to provide
263 inmate medical services may not exceed 110 percent of the
264 Medicare allowable rate if the health care provider does not
265 have a contract to provide services with the department or the
266 private correctional facility, as defined in s. 944.710, which
267 houses the inmate. However, compensation to a health care
268 provider may not exceed 125 percent of the Medicare allowable
269 rate if:

270 (a) The health care provider does not have a contract to
271 provide services with the department or the private correctional
272 facility, as defined in s. 944.710, which houses the inmate; and



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273 (b) The health care provider reported a negative operating
274 margin for the previous year to the Agency for Health Care
275 Administration through hospital-audited financial data.

276 (3) Compensation to an entity to provide emergency medical
277 transportation services for inmates may not exceed 110 percent
278 of the Medicare allowable rate if the entity does not have a
279 contract with the department or a private correctional facility,
280 as defined in s. 944.710, to provide the services.

281 (4) This section does not apply to charges for medical
282 services provided at a hospital operated by the department.

283 Section 9. Paragraph (b) of subsection (7) of section
284 947.1405, Florida Statutes, is amended to read:

285 947.1405 Conditional release program.-

286 (7)

287 (b) For a releasee whose crime was committed on or after
288 October 1, 1997, in violation of chapter 794, s. 800.04, s.
289 827.071, s. 847.0135(5), or s. 847.0145, and who is subject to
290 conditional release supervision, in addition to any other
291 provision of this subsection, the commission shall impose the
292 following additional conditions of conditional release
293 supervision:

294 1. As part of a treatment program, participation in a
295 minimum of one annual polygraph examination to obtain
296 information necessary for risk management and treatment and to
297 reduce the sex offender's denial mechanisms. The polygraph
298 examination must be conducted by a polygrapher trained
299 specifically in the use of the polygraph for the monitoring of
300 sex offenders, where available, and at the expense of the sex
301 offender. The results of the ~~polygraph~~ examination may ~~shall~~ not



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302 be used as evidence in a hearing to prove that a violation of
303 supervision has occurred.

304 2. Maintenance of a driving log and a prohibition against
305 driving a motor vehicle alone without the prior approval of the
306 supervising officer.

307 3. A prohibition against obtaining or using a post office
308 box without the prior approval of the supervising officer.

309 4. If there was sexual contact, a submission to, at the
310 probationer's or community controllee's expense, an HIV test
311 with the results to be released to the victim or the victim's
312 parent or guardian.

313 5. Electronic monitoring of any form when ordered by the
314 commission. Any person who has been placed under supervision and
315 is electronically monitored by the department must pay the
316 department for the cost of the electronic monitoring service at
317 a rate that may not exceed the full cost of the monitoring
318 service. Funds collected under this subparagraph shall be
319 deposited into the General Revenue Fund. The department may
320 exempt a person from the payment of all or any part of the
321 electronic monitoring service cost if the department finds that
322 any of the factors listed in s. 948.09(3) exist.

323 Section 10. Subsection (1) of section 948.01, Florida
324 Statutes, is amended to read:

325 948.01 When court may place defendant on probation or into
326 community control.-

327 (1) Any state court ~~of the state~~ having original
328 jurisdiction of criminal actions may at a time to be determined
329 by the court, ~~either~~ with or without an adjudication of the
330 guilt of the defendant, hear and determine the question of the



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331 probation of a defendant in a criminal case, except for an
332 offense punishable by death, who has been found guilty by the
333 verdict of a jury, has entered a plea of guilty or a plea of
334 nolo contendere, or has been found guilty by the court trying
335 the case without a jury.

336 (a) If the court places the defendant on probation or into
337 community control for a felony, the department shall provide
338 immediate supervision by an officer employed in compliance with
339 the minimum qualifications for officers as provided in s.
340 943.13. ~~In no circumstances shall~~ A private entity may not
341 provide probationary or supervision services to felony or
342 misdemeanor offenders sentenced or placed on probation or other
343 supervision by the circuit court.

344 (b) The department, in consultation with the Office of the
345 State Courts Administrator, shall develop and disseminate to the
346 courts uniform order of supervision forms by July 1 of each year
347 or as necessary. The courts shall use the uniform order of
348 supervision forms provided by the department for all persons
349 placed on community supervision.

350 Section 11. Subsection (2) of section 948.09, Florida
351 Statutes, is amended to read:

352 948.09 Payment for cost of supervision and rehabilitation.-

353 (2) Any person being electronically monitored by the
354 department as a result of being placed ~~placement~~ on supervision
355 ~~community control~~ shall ~~be required to pay the department for~~
356 electronic monitoring services at a rate ~~as a surcharge an~~
357 ~~amount~~ that may not exceed the full cost of the monitoring
358 service in addition to the cost of supervision ~~fee~~ as directed
359 by the sentencing court. The funds collected under this



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360 subsection surcharge shall be deposited in the General Revenue
361 Fund. The department may exempt a person from paying all or any
362 part of the costs of the electronic monitoring service if it
363 finds that any of the factors listed in subsection (3) exist.

364 Section 12. Subsections (5) and (6) of section 948.11,
365 Florida Statutes, are amended to read:

366 948.11 Electronic monitoring devices.—

367 (5) Any person being electronically monitored by the
368 department as a result of being placed ~~placement~~ on supervision
369 ~~community control~~ shall ~~be required to pay the department for~~
370 the electronic monitoring services ~~a surcharge~~ as provided in s.
371 948.09(2).

372 (6) For probationers, community controllees, or conditional
373 releasees who have current or prior convictions for violent or
374 sexual offenses, the department, in carrying out a court or
375 commission order to electronically monitor an offender, must use
376 a system that actively monitors and identifies the offender's
377 location and timely reports or records the offender's presence
378 near or within a crime scene or in a prohibited area or the
379 offender's departure from specified geographic limitations.
380 Procurement of electronic monitoring services under this
381 subsection shall be by competitive procurement in accordance
382 with invitation to bid as defined in s. 287.057.

383 Section 13. Section 957.09, Florida Statutes, is amended to
384 read:

385 957.09 Applicability of chapter to other provisions of
386 law.—

387 (1)(a) Any offense that if committed at a state
388 correctional facility would be a crime is ~~shall be~~ a crime if



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389 committed by or with regard to inmates at private correctional
390 facilities operated pursuant to a contract entered into under
391 this chapter.

392 (b) All laws relating to commutation of sentences, release
393 and parole eligibility, and the award of sentence credits ~~shall~~
394 apply to inmates incarcerated in a private correctional facility
395 operated pursuant to a contract entered into under this chapter.

396 (2) The provisions of this chapter are supplemental to the
397 provisions of ss. 944.105 and 944.710-944.719. However, in any
398 conflict between a provision of this chapter and a provision of
399 such other sections, the provision of this chapter shall
400 prevail.

401 (3) The provisions of law governing the participation of
402 minority business enterprises are applicable to this chapter.

403 (4) The provisions of this chapter do not apply to
404 contracts between the department and county and municipal
405 entities, other states, political subdivisions of another state,
406 or correctional management service vendors in another state for
407 the transfer and confinement of state inmates.

408 Section 14. Paragraph (c) of subsection (5) of section
409 958.045, Florida Statutes, is amended to read:

410 958.045 Youthful offender basic training program.—

411 (5)

412 (c) The portion of the sentence served before ~~prior to~~
413 placement in the basic training program may not be counted
414 toward program completion. The department shall submit a report
415 to the court at least 30 days before the youthful offender is
416 scheduled to complete the basic training program. The report
417 must describe the offender's performance in the basic training



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418 program. If the youthful offender's performance is satisfactory,
419 the court shall issue an order modifying the sentence imposed
420 and place the offender on probation subject to the offender
421 successfully completing the remainder of the basic training
422 program. Upon the offender's completion of the basic training
423 ~~program, the department shall submit a report to the court that~~
424 ~~describes the offender's performance. If the offender's~~
425 ~~performance has been satisfactory, the court shall issue an~~
426 ~~order modifying the sentence imposed and placing the offender on~~
427 ~~probation.~~ The term of probation may include placement in a
428 community residential program. If the offender violates the
429 conditions of probation, the court may revoke probation and
430 impose any sentence that it might have originally imposed.

431 Section 15. Subsection (2) of section 960.292, Florida
432 Statutes, is amended to read:

433 960.292 Enforcement of the civil restitution lien through
434 civil restitution lien order.—The civil restitution lien shall
435 be made enforceable by means of a civil restitution lien order.

436 (2) Upon motion by the state, upon petition of the local
437 subdivision, crime victim, or aggrieved party, or on its own
438 motion, the court in which the convicted offender is convicted
439 shall enter civil restitution lien orders in favor of crime
440 victims, the state, its local subdivisions, and other aggrieved
441 parties. The court shall retain continuing jurisdiction over the
442 convicted offender for the sole purpose of entering civil
443 restitution lien orders for the duration of the sentence and up
444 to 5 years from release from incarceration or supervision,
445 whichever occurs later.

446 Section 16. Paragraph (b) of subsection (2) of section



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447 960.293, Florida Statutes, is amended to read:

448 960.293 Determination of damages and losses.—

449 (2) Upon conviction, a convicted offender is liable to the
450 state and its local subdivisions for damages and losses for
451 incarceration costs and other correctional costs.

452 (b) If the conviction is for an offense other than a
453 capital or life felony, a liquidated damage amount of \$50 per
454 day of the convicted offender's sentence shall be assessed
455 against the convicted offender and in favor of the state or its
456 local subdivisions. Damages shall be based upon the length of
457 the sentence imposed by the court at the time of sentencing.

458 Section 17. Section 960.297, Florida Statutes, is amended
459 to read:

460 960.297 Authorization for governmental right of restitution
461 for costs of incarceration.—

462 (1) The state and its local subdivisions, in a separate
463 civil action or as counterclaim in any civil action, may seek
464 recovery of the damages and losses set forth in s. 960.293.

465 (2) For those convicted offenders convicted before July 1,
466 1994, the state and its local subdivisions, in a separate civil
467 action or as a counterclaim in any civil action, may seek
468 recovery of the damages and losses set forth in s. 960.293, for
469 the convicted offender's remaining sentence after July 1, 1994.

470 (3) Civil actions authorized by this section may be
471 commenced at any time during the offender's incarceration and up
472 to 5 years after the date of the offender's release from
473 incarceration or supervision, whichever occurs later.

474 Section 18. This act shall take effect July 1, 2009.
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476 ===== T I T L E A M E N D M E N T =====

477 And the title is amended as follows:

478 Delete everything before the enacting clause
479 and insert:

480 A bill to be entitled
481 An act relating to the Department of Corrections;
482 amending s. 775.082, F.S.; requiring that the court
483 sentence certain offenders to a nonstate prison
484 sanction unless the court makes written findings that
485 ordering an offender to a nonstate prison sanction
486 could present a danger to the public; creating s.
487 921.00241, F.S.; providing that on or after a
488 specified date a court may divert from the state
489 correctional system certain offenders who otherwise
490 would be sentenced to state prison; providing
491 eligibility criteria for participation in the state
492 prison diversion program if such a program is funded
493 and exists in the circuit; requiring the court to make
494 written findings that the offender meets the
495 eligibility criteria for the diversion program;
496 authorizing the court to order the offender to pay the
497 costs of the prison diversion program if the offender
498 is able to do so; amending s. 944.10, F.S.; exempting
499 certain lease agreements by the department from the
500 requirements for advertisement and competitive bids;
501 providing for the future reversion as of a specified
502 date of the statutory text relating to such lease
503 agreements; creating s. 944.171, F.S.; authorizing the
504 Department of Corrections to contract with county and



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505 municipal entities to house inmates committed to the
506 department; authorizing the department to enter into
507 contractual agreements with another state, a political
508 subdivision of another state, or a vendor in another
509 state to transfer and confine Florida inmates within
510 that state; requiring the reclassification of inmates
511 before a transfer occurs; providing for the contents
512 of the contract; providing that a transferred inmate
513 remains subject to the rules of the Florida Parole
514 Commission; requiring that contracts for the transfer
515 of inmates be procured according to state law;
516 requiring that additional beds authorized under a
517 contract be added to the total capacity of the state
518 correctional system; authorizing the department to
519 adopt rules; amending s. 945.6037, F.S.; increasing
520 the copayment that an inmate must make for a
521 nonemergency visit to a health care provider; creating
522 s. 945.604, F.S.; defining the term "claim" for
523 purposes of the State of Florida Correctional Medical
524 Authority Act; providing for filing and payment of
525 medical claims for payment or underpayment; providing
526 for filing and payment of claims for overpayment;
527 providing for recovery of overpayment of claims;
528 creating s. 945.6041, F.S.; defining terms; limiting
529 the compensation of health care providers that do not
530 have contracts to provide inmate medical services with
531 the department or private correctional facilities;
532 limiting compensation to entities that provide
533 emergency medical transportation services for inmates



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534 if those entities do not have a contract with the
535 department or certain private correctional facilities;
536 amending s. 947.1405, F.S.; requiring any person who
537 has been placed under supervision and is
538 electronically monitored by the department to pay the
539 department for the cost of the electronic monitoring
540 service; requiring that funds collected from the
541 person be deposited into the General Revenue Fund;
542 authorizing the Department of Corrections to exempt a
543 person from the payment of all or any part of the
544 electronic monitoring service cost under certain
545 circumstances; amending s. 948.01, F.S.; requiring
546 that the department disseminate and that the courts
547 use uniform order of supervision forms when placing a
548 defendant on community supervision; amending s.
549 948.09, F.S.; requiring a person to pay the department
550 the cost of electronically monitoring the offender
551 while the offender is placed on supervision; providing
552 for a cost cap on the monitoring service; providing
553 that the department may exempt a person from paying
554 all or any part of the costs of the electronic
555 monitoring service under certain circumstances;
556 amending s. 948.11, F.S.; requiring a person who is
557 electronically monitored on supervision to pay the
558 department for the electronic monitoring services;
559 amending s. 957.09, F.S.; providing that the
560 provisions governing private correctional facilities
561 do not apply to contracts between the department and
562 county and municipal entities, other states, political



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563 subdivisions of another state, or correctional
564 management service vendors in another state for the
565 transfer and confinement of state inmates; amending s.
566 958.045, F.S.; requiring the Department of Corrections
567 to submit a report to the court at least 30 days
568 before a youthful offender is scheduled to complete
569 the basic training program; requiring the court to
570 modify the youthful offender's sentence and place the
571 offender on probation if the youthful offender has
572 successfully completed the basic training program;
573 amending s. 960.292, F.S.; providing for retention of
574 court jurisdiction over certain offenders for a
575 specified period after release from incarceration or
576 supervision for the sole purpose of entering civil
577 restitution orders; amending s. 960.293, F.S.;
578 providing that damages due from an offender for
579 correctional costs be based upon the length of the
580 sentence imposed by the court at the time of
581 sentencing; amending s. 960.297, F.S.; providing a
582 time period in which civil actions for the costs of
583 incarceration may be initiated; providing an effective
584 date.