

By Senator Dockery

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1 A bill to be entitled
 2 An act relating to the Department of Corrections;
 3 amending s. 20.315, F.S.; providing for the Secretary
 4 of Corrections to appoint no more than three deputy
 5 secretaries; amending s. 120.81, F.S.; setting forth
 6 the administrative actions that an agency must take if
 7 a prisoner files a petition that is directed to an
 8 unadopted agency rule; 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. Paragraph (a) of subsection (3) of section
 13 20.315, Florida Statutes, is amended to read:

14 20.315 Department of Corrections.—There is created a
 15 Department of Corrections.

16 (3) SECRETARY OF CORRECTIONS.—The head of the Department of
 17 Corrections is the Secretary of Corrections. The secretary is
 18 appointed by the Governor, subject to confirmation by the
 19 Senate, and shall serve at the pleasure of the Governor. The
 20 secretary is responsible for planning, coordinating, and
 21 managing the corrections system of the state. The secretary
 22 shall ensure that the programs and services of the department
 23 are administered in accordance with state and federal laws,
 24 rules, and regulations, with established program standards, and
 25 consistent with legislative intent. The secretary shall identify
 26 the need for and recommend funding for the secure and efficient
 27 operation of the state correctional system.

28 (a) The secretary shall appoint no more than three a deputy
 29 secretaries ~~secretary~~. The deputy secretaries ~~secretary~~ shall be

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30 directly responsible to the secretary and shall serve at the
31 pleasure of the secretary.

32 Section 2. Paragraph (d) is added to subsection (3) of
33 section 120.81, Florida Statutes, to read:

34 120.81 Exceptions and special requirements; general areas.-

35 (3) PRISONERS AND PAROLEES.-

36 (d) Notwithstanding s. 120.54(7)(b), if a prisoner, as
37 defined in s. 944.02, files a petition pursuant to s.
38 120.54(7)(a) which is directed to an unadopted agency rule, the
39 agency shall, not later than 30 days following the date of
40 filing the petition, initiate rulemaking proceedings under this
41 chapter, otherwise comply with the requested action, or deny the
42 petition and issue a written statement of its reasons for the
43 denial.

44 Section 3. This act shall take effect July 1, 2010.