

By Senator Evers

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1 A bill to be entitled
2 An act relating to the Board of Corrections and
3 Juvenile Justice; creating the Board of Corrections
4 and Juvenile Justice within the Executive Office of
5 the Governor; describing the duties and
6 responsibilities of the board; requiring the board to
7 conduct annual performance reviews of the Secretary of
8 Corrections and the Secretary of Juvenile Justice;
9 requiring the board to publish an annual report for
10 presentation to the Governor and Legislature by a
11 specified date; requiring the board to conduct
12 scheduled and unscheduled inspections of facilities
13 and to issue reports as needed; requiring the board to
14 require the Office of Inspector General to conduct
15 certain investigations; providing for the organization
16 of the board; providing that the board is appointed by
17 the Governor and subject to confirmation by the
18 Senate; providing terms of the board; providing that
19 the members of the board serve without compensation,
20 but are reimbursed for per diem and travel expenses;
21 prohibiting a member from having a contractual
22 relationship with the Department of Corrections or the
23 Department of Juvenile Justice; requiring that the
24 board meet at the call of its chair or at the request
25 of a majority of its membership; requiring the board
26 to employ an executive director who is designated by
27 the Governor; providing for the duties and
28 responsibilities of the executive director; providing
29 an effective date.

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

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33 Section 1. (1) The Board of Corrections and Juvenile
34 Justice is created within the Executive Office of the Governor
35 for the purpose of providing independent oversight of and
36 ensuring accountability in the operation of the Department of
37 Corrections and the Department of Juvenile Justice.

38 (2) The board shall, within available resources:

39 (a) Ensure that statutes concerning the state correctional
40 and juvenile justice systems and the Governor's correctional and
41 juvenile justice policies are properly executed.

42 (b) Periodically review the status of the state
43 correctional and juvenile justice systems and recommend
44 improvements therein to the Governor and Legislature.

45 (c) Establish performance measures and expected performance
46 levels, and measure the actual performance of the Department of
47 Corrections and the Department of Juvenile Justice. Findings
48 must be provided to the Governor, the President of the Senate,
49 and the Speaker of the House of Representatives upon request,
50 but at least quarterly. Recommendations for improvements must be
51 provided as deemed appropriate but at least once each year to
52 the Governor, the President of the Senate, and the Speaker of
53 the House of Representatives.

54 (d) Conduct annual performance reviews of the Secretary of
55 Corrections and the Secretary of Juvenile Justice, which shall
56 be presented to the Governor.

57 (e) Publish an annual report and set forth recommendations,
58 which shall be presented to the Governor, the President of the

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59 Senate, and the Speaker of the House of Representatives by
60 October 15 of each year.

61 (f) Conduct scheduled and unscheduled inspections of
62 facilities and issue reports as needed for specific problems
63 within the Department of Corrections and the Department of
64 Juvenile Justice.

65 (g) Require the office of the inspector general to conduct
66 investigations of any aspect of a facility's or program's
67 operations and conditions.

68 (3) The board shall consist of nine members, appointed by
69 the Governor and subject to confirmation by the Senate. The
70 Governor shall designate the chair and vice chair before the
71 initial meeting of the board.

72 (a) Members of the board shall be appointed to terms of 4
73 years, except that the initial term of four original members of
74 the board shall be for 2 years. Members may be reappointed for
75 successive terms. A vacancy shall be filled for the remainder of
76 the unexpired term in the same manner as the original
77 appointment.

78 (b) Members of the board shall serve without compensation,
79 but members are entitled to reimbursement for per diem and
80 travel expenses in accordance with s. 112.061, Florida Statutes.
81 A member may not have a contractual relationship with the
82 Department of Corrections or the Department of Juvenile Justice.

83 (c) The board shall meet at the call of its chair or at the
84 request of a majority of its membership, but at least quarterly.
85 Five members constitute a quorum for purposes of conducting
86 official business. The board shall act by a vote of the majority
87 of its members who are present in person or via communications

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88 technology.

89 (4) The board shall employ an executive director, who shall
90 be designated by the Governor, to carry out the provisions of
91 this section. The executive director shall report directly to
92 the board. The executive director shall be the chief
93 administrative officer of the board and shall be responsible for
94 appointing all employees and staff members of the board, who
95 shall serve under the executive director's direction and
96 control. The executive director may also act on behalf of the
97 board to contract or enter into partnerships with such persons
98 or entities as are necessary, including nonprofit organizations
99 and educational institutions, to carry out the board's
100 responsibilities.

101 Section 2. This act shall take effect July 1, 2011.