



LEGISLATIVE ACTION

Senate . House

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Floor: 11/AD/2R

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02/13/2012 04:50 PM

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Senator Benacquisto moved the following:

1 **Senate Substitute for Amendment (284166) (with title**
2 **amendment)**

3
4 Delete lines 176 - 182

5 and insert:

6 (5) (a) The Department of Corrections shall classify an
7 inmate without regard for and without consideration of whether
8 the correctional facility or assigned correctional facility to
9 which the inmate will be assigned as a result of the
10 classification is operated by the Department of Corrections or
11 by a contractor. Each facility's medical and psychological grade
12 population percentages shall remain substantially unchanged from
13 the average daily population calculated for the 2010-2011 fiscal



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14 year. Each facility's average daily population shall be
15 substantially the same or greater than the average daily
16 population calculated for the 2010-2011 fiscal year.

17 (b) By October 1 of each year during the term of the
18 contracts authorized under this section, the Office of Program
19 Policy Analysis and Government Accountability shall conduct a
20 review of the assignment of inmates by the Department of
21 Corrections during the most recently ended fiscal year,
22 determine the factors and considerations used by the Department
23 of Corrections in the classification of inmates, and determine
24 if the Department of Corrections has considered in the
25 classification of inmates whether the correctional facility or
26 assigned correctional unit to which inmates are assigned is
27 operated by the Department of Corrections or by a contractor. By
28 November 15 of each year, the Office of Program Policy Analysis
29 and Government Accountability shall submit a report of its
30 findings to the Governor, the President of the Senate, and the
31 Speaker of the House of Representatives.

32
33 ===== T I T L E A M E N D M E N T =====

34 And the title is amended as follows:

35 Delete lines 27 - 34

36 and insert:

37 requiring that the Department of Corrections classify
38 all inmates without regard for and without
39 consideration of whether the inmates will be assigned
40 to facilities operated by the Department of
41 Corrections or by a contractor; requiring that each
42 facility's medical and psychological grade population



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43 percentages remain substantially unchanged from the
44 average daily population calculated for the 2010-2011
45 fiscal year; requiring that the Office of Program
46 Policy Analysis and Government Accountability conduct
47 a review of the assignments of inmates by the
48 Department of Corrections; requiring that the office
49 submit a report of its findings to the Governor and
50 Legislature by a specified date each year; requiring
51 that certain accounts