

By Senator Perry

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1 A bill to be entitled
2 An act relating to the State-Operated Institutions
3 Inmate Welfare Trust Fund; amending s. 945.215, F.S.;
4 increasing the maximum amount of funds that may be
5 deposited into the trust fund in a fiscal year; adding
6 environmental health upgrades to Department of
7 Corrections facilities as a permissible use for funds
8 in the trust fund; reenacting ss. 944.516(5),
9 944.73(2), and 946.002(4)(b), F.S., relating to the
10 disposition of unclaimed funds, the State-Operated
11 Institutions Inmate Welfare Trust Fund, and forfeiture
12 of a prisoner's earned funds, respectively, to
13 incorporate the amendment made to s. 945.215, F.S., in
14 references thereto; providing an effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

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18 Section 1. Paragraphs (b) and (c) of subsection (2) of
19 section 945.215, Florida Statutes, are amended to read:

20 945.215 Inmate welfare and employee benefit trust funds.—

21 (2) STATE-OPERATED INSTITUTIONS INMATE WELFARE TRUST FUND.—

22 (b) Deposits into the trust fund may not exceed a total of
23 \$30 ~~\$2.5~~ million in any fiscal year. Any proceeds or funds that
24 would cause deposits into the trust fund to exceed this limit
25 must be deposited into the General Revenue Fund.

26 (c) Funds in the trust fund shall be used exclusively to
27 provide for or operate any of the following at correctional
28 facilities operated by the department:

29 1. Literacy programs, vocational training programs, and

8-00655A-22

2022636__

30 educational programs.

31 2. Inmate chapels, faith-based programs, visiting
32 pavilions, visiting services and programs, family services and
33 programs, and libraries.

34 3. Inmate substance abuse treatment programs and transition
35 and life skills training programs.

36 4. The purchase, rental, maintenance, or repair of
37 electronic or audiovisual equipment, media, services, and
38 programming used by inmates.

39 5. The purchase, rental, maintenance, or repair of
40 recreation and wellness equipment.

41 6. The purchase, rental, maintenance, or repair of bicycles
42 used by inmates traveling to and from employment in the work-
43 release program authorized under s. 945.091(1)(b).

44 7. Environmental health upgrades to facilities, to include
45 fixed capital outlay repairs and maintenance that would improve
46 environmental conditions of the correctional facilities.

47 Section 2. For the purpose of incorporating the amendment
48 made by this act to section 945.215, Florida Statutes, in a
49 reference thereto, subsection (5) of section 944.516, Florida
50 Statutes, is reenacted to read:

51 944.516 Money or other property received for personal use
52 or benefit of inmate; deposit; disposition of unclaimed trust
53 funds.—The Department of Corrections shall protect the financial
54 interest of the state with respect to claims which the state may
55 have against inmates in state institutions under its supervision
56 and control and shall administer money and other property
57 received for the personal benefit of such inmates. In carrying
58 out the provisions of this section, the department may delegate

8-00655A-22

2022636__

59 any of its enumerated powers and duties affecting inmates of an
60 institution to the warden or regional director who shall
61 personally, or through designated employees of his or her
62 personal staff under his or her direct supervision, exercise
63 such powers or perform such duties.

64 (5) When an inmate is transferred between department
65 facilities, is released from the custody of the department,
66 dies, or escapes during incarceration, and the inmate has an
67 unexpended inmate trust fund account balance of less than \$1,
68 that balance shall be transferred to the State-Operated
69 Institutions Inmate Welfare Trust Fund or, as provided in s.
70 945.215(2) (b), into the General Revenue Fund.

71 Section 3. For the purpose of incorporating the amendment
72 made by this act to section 945.215, Florida Statutes, in a
73 reference thereto, subsection (2) of section 944.73, Florida
74 Statutes, is reenacted to read:

75 944.73 State-Operated Institutions Inmate Welfare Trust
76 Fund.—

77 (2) Moneys shall be deposited and the expenditures made
78 from the trust fund as provided in s. 945.215.

79 Section 4. For the purpose of incorporating the amendment
80 made by this act to section 945.215, Florida Statutes, in a
81 reference thereto, paragraph (b) of subsection (4) of section
82 946.002, Florida Statutes, is reenacted to read:

83 946.002 Requirement of labor; compensation; amount;
84 crediting of account of prisoner; forfeiture; civil rights;
85 prisoner not employee or entitled to compensation insurance
86 benefits.—

87 (4)

8-00655A-22

2022636__

88 (b) When any prisoner escapes, the department shall
89 determine what portion of the prisoner's earnings shall be
90 forfeited, and such forfeiture shall be deposited in the State
91 Treasury in the State-Operated Institutions Inmate Welfare Trust
92 Fund of the department or, as provided in s. 945.215(2)(b), into
93 the General Revenue Fund.

94 Section 5. This act shall take effect July 1, 2022.