

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Smith offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Paragraph (d) of subsection (1) and paragraphs (b) and (c) of subsection (2) of section 945.215, Florida Statutes, are amended to read:

945.215 Inmate welfare and employee benefit trust funds.—

(1) INMATE PURCHASES; DEPARTMENT OF CORRECTIONS.—

(d) All proceeds from the following sources must be deposited into the State-Operated Institutions Inmate Welfare Trust Fund or, as provided in paragraph (2) (b), into the General Revenue Fund:

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- 14 1. The confiscation and liquidation of any contraband
15 found upon, or in the possession of, any inmate.~~†~~
16 2. Disciplinary fines imposed against inmates.~~†~~
17 3. Forfeitures of inmate earnings.~~†~~ and
18 4. Unexpended balances in individual inmate trust fund
19 accounts of less than \$1.
20 5. Proceeds obtained through the collection of damages
21 pursuant to s. 960.293(2).
22 6. Cost of incarceration liens pursuant to s. 960.292(2).
23 7. Copayments made by inmates for nonemergency visits to a
24 healthcare provider.
25 (2) STATE-OPERATED INSTITUTIONS INMATE WELFARE TRUST
26 FUND.—
27 (b) Deposits into the trust fund may not exceed a total of
28 \$12.5 ~~\$2.5~~ million in any fiscal year. Any proceeds or funds
29 that would cause deposits into the trust fund to exceed this
30 limit must be deposited into the General Revenue Fund.
31 (c) Funds in the trust fund shall be used exclusively to
32 provide for or operate any of the following at correctional
33 facilities operated by the department:
34 1. Literacy programs, vocational training programs, and
35 educational programs, including fixed capital outlay for
36 educational facilities.

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37 2. Inmate chapels, faith-based programs, visiting
38 pavilions, visiting services and programs, family services and
39 programs, and libraries.

40 3. Inmate substance abuse treatment programs and
41 transition and life skills training programs.

42 4. The purchase, rental, maintenance, or repair of
43 electronic or audiovisual equipment, media, services, and
44 programming used by inmates.

45 5. The purchase, rental, maintenance, or repair of
46 recreation and wellness equipment.

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

50 7. Environmental health upgrades to facilities, including
51 fixed capital outlay for repairs and maintenance that would
52 improve environmental conditions of the correctional facilities.

53 Section 2. Paragraph (c) of subsection (1) of section
54 945.6037, Florida Statutes, is amended to read:

55 945.6037 Nonemergency health care; inmate copayments.—

56 (1)

57 (c) The proceeds of each copayment must be deposited into
58 the State-Operated Institutions Inmate Welfare Trust Fund
59 pursuant to s. 945.215(1)(d) or, as provided in s.
60 945.215(2)(b), into ~~in~~ the General Revenue Fund.

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61 Section 3. For the purpose of incorporating the amendment
62 made by this act to section 945.215, Florida Statutes, in a
63 reference thereto, subsection (5) of section 944.516, Florida
64 Statutes, is reenacted to read:

65 944.516 Money or other property received for personal use
66 or benefit of inmate; deposit; disposition of unclaimed trust
67 funds.—The Department of Corrections shall protect the financial
68 interest of the state with respect to claims which the state may
69 have against inmates in state institutions under its supervision
70 and control and shall administer money and other property
71 received for the personal benefit of such inmates. In carrying
72 out the provisions of this section, the department may delegate
73 any of its enumerated powers and duties affecting inmates of an
74 institution to the warden or regional director who shall
75 personally, or through designated employees of his or her
76 personal staff under his or her direct supervision, exercise
77 such powers or perform such duties.

78 (5) When an inmate is transferred between department
79 facilities, is released from the custody of the department,
80 dies, or escapes during incarceration, and the inmate has an
81 unexpended inmate trust fund account balance of less than \$1,
82 that balance shall be transferred to the State-Operated
83 Institutions Inmate Welfare Trust Fund or, as provided in s.
84 945.215(2) (b), into the General Revenue Fund.

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85 Section 4. For the purpose of incorporating the amendment
86 made by this act to section 945.215, Florida Statutes, in a
87 reference thereto, subsection (2) of section 944.73, Florida
88 Statutes, is reenacted to read:

89 944.73 State-Operated Institutions Inmate Welfare Trust
90 Fund.—

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

93 Section 5. For the purpose of incorporating the amendment
94 made by this act to section 945.215, Florida Statutes, in a
95 reference thereto, paragraph (b) of subsection (4) of section
96 946.002, Florida Statutes, is reenacted to read:

97 946.002 Requirement of labor; compensation; amount;
98 crediting of account of prisoner; forfeiture; civil rights;
99 prisoner not employee or entitled to compensation insurance
100 benefits.—

101 (4)

102 (b) When any prisoner escapes, the department shall
103 determine what portion of the prisoner's earnings shall be
104 forfeited, and such forfeiture shall be deposited in the State
105 Treasury in the State-Operated Institutions Inmate Welfare Trust
106 Fund of the department or, as provided in s. 945.215(2)(b), into
107 the General Revenue Fund.

108 Section 6. This act shall take effect July 1, 2023.
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T I T L E A M E N D M E N T
Remove everything before the enacting clause and insert:
A bill to be entitled
An act relating to State-Operated Institutions Inmate Welfare Trust Fund; amending s. 945.215, F.S.; specifying which funds should receive revenue from specified sources; revising the maximum annual amount that may be deposited into the State-Operated Institutions Inmate Welfare Trust Fund; adding environmental health upgrades to Department of Corrections facilities and fixed capital outlay for educational facilities as permissible uses for funds in the trust fund; amending s. 945.6037, F.S.; revising the disposition of inmate copayments for nonemergency health care; reenacting ss. 944.516(5), 944.73(2), and 946.002(4)(b), F.S., relating to the disposition of unclaimed funds, the State-Operated Institutions Inmate Welfare Trust Fund, and forfeiture of a prisoner's earned funds, respectively, to incorporate the amendments made by the act; providing an effective date.

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