

By Senator Burgess

23-01369A-24

20241048\_\_

1 A bill to be entitled  
2 An act relating to an independent incentivized prison  
3 program; creating s. 944.8032, F.S.; providing  
4 legislative intent; defining the terms "nonviolent  
5 offense," "recidivism," and "tentative release date";  
6 requiring the Department of Corrections to establish  
7 an independent incentivized prison program for  
8 nonviolent offenders; providing location requirements  
9 for the program; specifying admission criteria and  
10 program requirements; providing reporting requirements  
11 by specified dates; requiring annual reports after a  
12 specified date; requiring the department to adopt  
13 rules; providing an effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

16  
17 Section 1. Section 944.8032, Florida Statutes, is created  
18 to read:

19 944.8032 Independent incentivized prison program.—

20 (1) LEGISLATIVE INTENT.—It is the intent of the Legislature  
21 that the department expand the incentivized prison program to  
22 provide education, life skills, and discharge planning in a  
23 continued effort to reduce recidivism rates. The department is  
24 encouraged to identify areas of need and alternative pathways to  
25 reducing recidivism rates.

26 (2) DEFINITIONS.—As used in this section, the term:

27 (a) "Nonviolent offense" means an offense, or attempted  
28 offense, that does not involve the intentional use or threat of  
29 physical force or violence against another individual.

23-01369A-24

20241048\_\_

30 (b) "Recidivism" means an inmate's rearrest, conviction,  
31 reincarceration, or probation revocation within 3 years after  
32 his or her release from incarceration.

33 (c) "Tentative release date" means the anticipated date on  
34 which an inmate will be released from incarceration after the  
35 application of adjustment for any gain-time earned or credit for  
36 time served.

37 (3) PROGRAM ESTABLISHMENT.—The department shall establish  
38 an independent incentivized prison program under the Office of  
39 Programs and Re-Entry for nonviolent offenders who have  
40 demonstrated positive behavior while incarcerated. The program's  
41 focus must be on preparing inmates for reentry into the  
42 community by emphasizing education and vocational training, job  
43 readiness skills, substance use disorder treatment, mental  
44 health treatment, life skills, and postrelease planning.

45 (4) LOCATION.—The department shall establish the  
46 independent incentivized prison program at a rural correctional  
47 institution that houses male inmates at a capacity of at least  
48 1,500 inmates and that is located in a county that has a  
49 population of no fewer than 25,000 and no more than 30,000. The  
50 program shall serve the entire institution.

51 (5) ADMISSION CRITERIA.—

52 (a) To qualify for participation in the independent  
53 incentivized prison program, an inmate must:

- 54 1. Be a citizen of the United States;  
55 2. Request to participate in the program using the process  
56 developed by the department by rule;  
57 3. Be serving a term of imprisonment only for a nonviolent  
58 offense or offenses that are not a violation of any offense

23-01369A-24

20241048\_\_

59 listed in s. 775.21; s. 776.08, except violations of s.  
60 810.02(3)(b), (3)(f), or (4); s. 794.051(1); s. 794.053; s.  
61 796.05; s. 828.12(2); s. 828.122(3); s. 828.125(1); s. 828.126;  
62 s. 847.011; s. 847.012; or s. 943.0435;

63 4. Have never been convicted of a violation of any offense  
64 listed in s. 775.21 or s. 943.0435;

65 5. Have a tentative release date that is greater than 24  
66 months away and not more than 60 months away at the time of  
67 consideration for the program; and

68 6. Qualify under department rules to participate in an  
69 incentivized prison program.

70 (b) The department shall give priority consideration to an  
71 inmate who is a veteran as defined in s. 1.01 and who meets the  
72 requirements of paragraph (a).

73 (c) An inmate may be removed from the independent  
74 incentivized prison program if:

75 1. The inmate is found guilty of a violation on any  
76 disciplinary report;

77 2. The inmate requests removal in the manner prescribed by  
78 the department by rule; or

79 3. The department determines that the inmate poses a threat  
80 to the safety, security, or orderly operation of the independent  
81 incentivized prison program, and such threat is documented by  
82 the department.

83 (6) PROGRAM REQUIREMENTS.—

84 (a) The department shall consult with CareerSource Florida  
85 to identify high-demand occupations in which inmates are likely  
86 to gain successful employment upon release. The department shall  
87 prioritize its training and educational opportunities to prepare

23-01369A-24

20241048\_\_

88 program participants for such occupations.

89 (b) Upon entry into the program, the department shall  
90 evaluate all of the participants' needs related to education and  
91 vocational training, substance use disorder treatment, mental  
92 health treatment, and community supports.

93 (c) The department shall provide program participants  
94 access to substance abuse treatment, remedial and basic  
95 educational services, and other enrichment programs in the same  
96 manner as provided in other incentivized prison programs in  
97 correctional institutions operated by the department.

98 (d) The department shall provide increased visitation and  
99 increased phone calls or free phone calls to program  
100 participants and may provide any other incentives to program  
101 participants as deemed appropriate by the department.

102 (e) The department may enter into agreements with the  
103 Florida Virtual School and local state colleges and universities  
104 to provide access to academic education and vocational training.

105 (f) Services in the independent incentivized prison program  
106 must be provided in a facility that is fully equipped with air-  
107 conditioning. However, the program may begin before the facility  
108 is fully equipped with air-conditioning.

109 (g) The department shall employ transition specialists who  
110 are responsible for developing an individualized reentry plan  
111 for each of the program participants. Each individualized  
112 reentry plan must address:

113 1. Obtaining identification needed for reentry, such as  
114 birth certificates, social security cards, and a state-issued  
115 identification card or driver license;

116 2. Obtaining any necessary vocational or occupational

23-01369A-24

20241048\_\_

117 license or credential;

118 3. Eligibility for state and federal benefits, including,  
119 but not limited to, social security benefits and veteran  
120 benefits;

121 4. Accessing health services in the community, including  
122 medical and dental treatment, mental health services, and  
123 substance use disorder treatment;

124 5. Job placement and other employment services, such as  
125 interviewing skills and resume writing;

126 6. Meeting basic physical needs, such as housing, food, and  
127 clothing;

128 7. Life skills, including, but not limited to, money  
129 management, anger management, and conflict resolution;

130 8. Identification of support systems, such as family,  
131 friends, community groups, religious activities, and recovery  
132 groups;

133 9. Academic and vocational programs;

134 10. Transportation; and

135 11. Postrelease support for 12 months.

136 (h) The department shall provide specialized training for  
137 staff and correctional officers in the independent incentivized  
138 prison program.

139 (7) REPORTS.—The department shall submit the following  
140 reports to the Governor, the President of the Senate, and the  
141 Speaker of the House of Representatives:

142 (a) By October 1, 2025, a report that provides an overview  
143 of the program as implemented and, at a minimum, provides:

144 1. The status of implementation of the independent  
145 incentivized prison program;

23-01369A-24

20241048\_\_

146 2. Identified high-demand occupations and implemented  
147 vocational training and educational programs;

148 3. The implemented services and programming available to  
149 participants;

150 4. A description of incentives provided to participants;

151 5. A status update on equipping the facility with air-  
152 conditioning;

153 6. The number and description of participants' disciplinary  
154 reports and removals from the program, as applicable; and

155 7. Any information required under paragraph (b), as  
156 applicable.

157 (b) By October 1, 2028, and annually thereafter, a report  
158 that includes the following:

159 1. The number of participants in the independent  
160 incentivized prison program and a description of program  
161 participants, including, but not limited to, the types of crimes  
162 for which participants are incarcerated, the average length of  
163 time remaining on participants' sentences at the time of entry  
164 into the program, the number of participants subject to  
165 supervision upon release from incarceration, and the basic  
166 demographics of the participants;

167 2. A description of the educational and vocational courses  
168 offered through the program, the number of participants enrolled  
169 in each course, and the number of participants who have  
170 completed each course;

171 3. The number of job placements for participants upon  
172 release, by educational and vocational skill, as applicable;

173 4. Community involvement in the program;

174 5. Participant satisfaction;

23-01369A-24

20241048\_\_

175       6. The number of participants who are removed from the  
176 program for disciplinary issues, who requested removal from the  
177 program, or who were removed from the program due to other  
178 reasons, as applicable;

179       7. Recommendations of the department and of program  
180 participants; and

181       8. The recidivism rate of participants in the independent  
182 incentivized prison program, of participants in other  
183 incentivized programs previously established by the department,  
184 and of nonparticipating inmates.

185       (8) RULEMAKING.—The department shall adopt rules pursuant  
186 to ss. 120.536(1) and 120.54 to implement and administer this  
187 section.

188       Section 2. This act shall take effect July 1, 2024.