

By Senator Osgood

32-00584-25

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1                   A bill to be entitled  
2       An act relating to treatment of inmates; creating s.  
3       944.092, F.S.; specifying certain rights of inmates in  
4       the correctional system; requiring that a written copy  
5       of the rights be provided to each inmate upon his or  
6       her entry into the correctional system; authorizing  
7       relief for deprivation of rights; amending s. 947.149,  
8       F.S.; revising the definition of the term "permanently  
9       incapacitated inmate" for purposes of conditional  
10       medical release; providing an effective date.

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

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14       Section 1. Section 944.092, Florida Statutes, is created to  
15 read:

16       944.092 Basic rights of inmates.-

17       (1) RIGHTS.-Each inmate in the correctional system has the  
18 right to:

19       (a) Proper ventilation.-All housing units must have air-  
20 conditioning systems or air-cooling systems; however, housing  
21 units in use on or before July 1, 2025, which cannot be fitted  
22 for air-conditioning or air-cooling systems must receive exhaust  
23 and air circulators sufficient to provide a safe and healthful  
24 environment for inmates.

25       (b) Sufficient meal time.-Inmates must receive a minimum of  
26 20 minutes to eat each meal. The minimum time must be extended  
27 to the amount necessary for an inmate to complete the meal if  
28 the inmate receives an approved medical reason for an extension.

29       (c) Adequate food supply in case of emergency.-Each

32-00584-25

2025358\_\_

30 correctional institution shall establish a program with one or  
31 more community food banks located near the institution to ensure  
32 that an adequate food supply is made available to the inmate  
33 population in the event that conditions exist that prevent  
34 regular food supply services due to an event such as a natural  
35 disaster or other emergency.

36 (d) Necessary health supplies.—The department shall  
37 provide:

38 1. Necessary personal protective equipment for medical  
39 staff at all times and for all staff and inmates during health  
40 crises or during any cleaning.

41 2. Necessary health products for inmates, including, but  
42 not limited to, sanitary napkins, tampons, soap, and toothpaste,  
43 upon the request of inmates.

44 (2) NOTICE.—The department shall provide a written copy of  
45 the rights established in this section to each inmate upon his  
46 or her entry into the correctional system.

47 (3) GRIEVANCES.—An inmate may file a grievance with the  
48 department if the inmate believes a right guaranteed in this  
49 section is denied by a correctional institution.

50 Section 2. Paragraph (a) of subsection (1) of section  
51 947.149, Florida Statutes, is amended to read:

52 947.149 Conditional medical release.—

53 (1) The commission shall, in conjunction with the  
54 department, establish the conditional medical release program.  
55 An inmate is eligible for consideration for release under the  
56 conditional medical release program when the inmate, because of  
57 an existing medical or physical condition, is determined by the  
58 department to be within one of the following designations:

32-00584-25

2025358\_\_

59           (a) "Permanently incapacitated inmate," which means an  
60 inmate who has a condition caused by injury, disease, or illness  
61 which, to a reasonable degree of medical certainty, renders the  
62 inmate permanently and irreversibly physically incapacitated, or  
63 has a physical disability, impairment, or handicap, to the  
64 extent that the inmate does not constitute a danger to herself  
65 or himself or others.

66           Section 3. This act shall take effect July 1, 2025.