

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Appropriations

BILL: CS/CS/SB 1012

INTRODUCER: Appropriations Committee; Appropriations Committee on Criminal and Civil Justice;
and Senator Yarborough

SUBJECT: Inmate Services

DATE: March 4, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Wyant</u>	<u>Stokes</u>	<u>CJ</u>	<u>Favorable</u>
2.	<u>Atchley</u>	<u>Harkness</u>	<u>ACJ</u>	<u>Fav/CS</u>
3.	<u>Atchley</u>	<u>Sadberry</u>	<u>AP</u>	<u>Fav/CS</u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 1012 revises provisions relating to the Contractor-Operated Institution Inmate Welfare Trust Fund.

The bill amends s. 945.215, F.S., to provide that funds in the Contractor-Operated Institution Inmate Welfare Trust Fund must be used exclusively to provide for, or operate the following, at contractor-operated correctional facilities:

- Programs to aid inmates' reintegration into society.
- Environmental health upgrades to facilities, including fixed capital outlay for repairs and maintenance that would improve environmental conditions of the correctional facilities.

Additionally, the bill requires maintenance and repair deduction fees from contractor-operated correctional facilities to be deposited into the Contractor-Operated Institutions Inmate Welfare Trust Fund.

The bill takes effect July 1, 2026.

II. Present Situation:

Contractor-Operated Institutions Inmate Welfare Trust Fund

Contractor-operated institutions or contractor-operated correctional facilities, formerly known as private prisons, are under contract with the DOC.¹

Proceeds from inmate canteens, vending machines primarily used by inmates, telephone commissions, and similar sources are deposited into the Contractor-Operated Institutions Inmate Welfare Trust Fund² and can only be expended pursuant to legislative appropriation.³

In contrast, the State-Operated Institutions Inmate Welfare Trust Fund is held by the DOC for the benefit and welfare of inmates incarcerated in the correctional facilities operated directly by the DOC. The funds in the State-Operated Institutional Inmate Welfare Trust Fund must be used exclusively to provide for or operate any of the following at correctional facilities operated by the DOC:

- Literacy programs, vocational training programs, and educational programs, including fixed capital outlay for educational facilities.
- Inmate chapels, faith-based programs, visiting pavilions, visiting services and programs, family services and programs, and libraries.
- Inmate substance abuse treatment programs and transition and life skills training programs.
- The purchase, rental, maintenance, or repair of electronic or audiovisual equipment, media, services, and programming used by inmates.
- The purchase, rental, maintenance, or repair of recreation and wellness equipment.
- The purchase, rental, maintenance, or repair of bicycles used by inmates traveling to and from employment in the work-release program.
- Environmental health upgrades to facilities, including fixed capital outlay for repairs and maintenance that would improve environmental conditions of the correctional facilities.⁴

Contractor-Operated Correctional Facilities

A contract entered into for the operation of contractor-operated correctional facilities, formerly known as private prisons, must maximize the cost savings⁵ of such facilities and:

- Is not exempt from ch. 287, F.S., including the competitive solicitation requirements.
- Be executed with the contractor most qualified.
- Indemnify the state and the DOC against any and all liability.
- Require that the contractor seek, obtain, and maintain accreditation by the American Correctional Association for the facility under that contract.

¹ Section 945.215(3)(a), F.S.

² Section 945.215(3)(b)1., F.S.

³ Section 945.215(3)(b)2., F.S.

⁴ Section 945.215(2)(c)1.-7., F.S.

⁵ The department may not enter into a contract or series of contracts unless the DOC determines that the contract or series of contracts in total for the facility will result in a cost savings to the state of at least 7 percent over the public provision of a similar facility. Section 957.07, F.S.

- Require the proposed facilities and the management plans for the inmates meet applicable American Correctional Association standards and the requirements of all applicable court orders and state law.
- Establish operations standards for correctional facilities subject to the contract.
- Require the contractor to be responsible for a range of dental, medical, and psychological services; diet; education; and work programs at least equal to those provided by the DOC in comparable facilities.
- Require the selection and appointment of a full-time contract monitor, appointed and supervised by the DOC.
- Be contracted for a period of three years and may be renewed for successive two-year periods thereafter.⁶

There are currently seven contractor-operated correctional facilities in Florida, operated by Management & Training Corporation, the GEO Group, or CoreCivic. The state owns the buildings and grants the contractors exclusive rights to use them.⁷ The following correctional facilities are contract-operated correctional facilities:

- Bay Correctional Facility.
- Blackwater River Correctional Facility.
- Gadsden Correctional Facility.
- Graceville Correctional Facility.
- Lake City Correctional Facility.
- Moore Haven Correctional Facility.
- South Bay Correctional Facility.

III. Effect of Proposed Changes:

The bill amends s. 945.215, F.S., to require funds in the Contractor-Operated Institutions Inmate Welfare Trust Fund be used to exclusively provide for, or operate the following at, contractor-operated correctional facilities:

- Programs to aid inmates' reintegration into society; or
- Environmental health upgrades to facilities, including fixed capital outlay for repairs and maintenance that would improve environmental conditions of the correctional facilities.

Additionally, the bill requires maintenance and repair deduction fees from contractor-operated correctional facilities to be deposited into the Contractor-Operated Institutions Inmate Welfare Trust Fund.

The bill also reenacts s. 944.72(1), F.S., relating to the Contractor-Operated Institutions Inmate Welfare Trust Fund, to incorporate the changes made to the authorized uses of the trust fund in the bill.

The bill takes effect July 1, 2026.

⁶ Section 957.04(1)(a)-(i), F.S.

⁷ E-mail, *Private Prison Info*, from Katherine Shea, January 28, 2026 (on file with the Senate Committee on Criminal Justice).

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 945.215 of the Florida Statutes.

This bill reenacts section 944.72 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Appropriations on March 2, 2026:

The committee substitute removes Section 2 of the bill which provided definitions, prohibited compensation to a hospital for emergency medical services and care provided to inmates from exceeding the Medicare allowable rate, and prohibited compensation to an entity providing emergency medical transportation services for inmates from exceeding the Medicaid allowable rate.

CS by Appropriations Committee on Criminal and Civil Justice on February 12, 2026:

The committee substitute:

- Requires maintenance and repair deduction fees from contractor-operated facilities to be deposited into the Contractor-Operated Institutions Inmate Welfare Trust Fund.
- Removes provisions requiring emergency services and specialty physicians to provide care at a Medicaid rate.
- Provided compensation to a community health care provider may not exceed 110 percent of the relevant Medicare allowable rate, unless contracted for.
- Provides compensation to a hospital for emergency services may not exceed 110 of the Medicare allowable rate.
- Defines “emergency medical condition,” “emergency medical services and care,” “emergency medical transport services,” and “inmate medical services.”

- B. **Amendments:**

None.