

HB 5403

2026

A bill to be entitled
An act relating to correctional facilities financing and capital improvements; creating s. 944.751, F.S.; providing legislative intent; providing an appropriation to the Department of Corrections; requiring appropriated funds to be used in a certain manner; requiring the department to begin the planning and design phase for the construction of certain facilities; requiring the department to make certain recommendations to the Legislature; requiring the department to contract with a construction management entity in certain circumstances; authorizing the Division of Bond Finance of the State Board of Administration to issue bonds for certain purposes; creating a financing oversight committee; providing membership and duties of the committee; providing an effective date.

WHEREAS, the State of Florida is facing a looming crisis related to its correctional facility infrastructure, and

WHEREAS, many correctional facilities are more than 40 years old, lack air conditioning, and have become too costly to maintain or modernize, and

WHEREAS, the age and design of the correctional facilities have become a safety concern for correctional officers and staff

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26 who work at such facilities, and

27 WHEREAS, the State of Florida lacks state-of-the-art
28 medical and mental health facilities to adequately care for
29 inmates, causing the Department of Corrections to serve inmates
30 in more costly private facilities, and

31 WHEREAS, the Legislature appropriated \$850 million in the
32 2022-2023 fiscal year for the planning, design, and construction
33 of a new correctional institution and a new prison hospital unit
34 which was subsequently vetoed by the Governor, and

35 WHEREAS, the failure to construct new correctional
36 facilities could create systemwide capacity concerns which may
37 result in the premature release of dangerous criminals and put
38 the people of Florida at risk, and

39 WHEREAS, the Legislature has allocated \$1.7 billion for the
40 Debt Reduction Program over the past 3 fiscal years and driven a
41 50 percent reduction in Florida's tax-supported debt, and

42 WHEREAS, it is incumbent upon the State of Florida to
43 prioritize limited resources to maintain the safe operation and
44 security of the state's correctional facilities to ensure public
45 safety and the safety of correctional officers, staff, and
46 inmates, and

47 WHEREAS, the immediate needs of the correctional facilities
48 demand the reprioritization of funding previously used to retire
49 debt that was financed at historically low rates to instead be
50 invested in Florida's correctional employees and system, NOW,

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51 THEREFORE,

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

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55 **Section 1. Section 944.751, Florida Statutes, is created**
to read:

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57 944.751 Correctional facilities capital improvement.—

58 (1) LEGISLATIVE INTENT.—The Legislature recognizes the
critical fixed capital outlay needs of the department.

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60 Therefore, it is the intent of the Legislature to provide
funding through cash payments or proceeds of bonds distributed
under this section to address these needs.

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63 (2) CAPITAL IMPROVEMENT FUNDING.—Notwithstanding s. 2,
chapter 2025-207, Laws of Florida, beginning in the 2026-2027
fiscal year and each fiscal year through 2066-2067, in lieu of
the transfer to the State Board of Administration for the Debt
Reduction Program, the Legislature shall appropriate \$250
million in recurring funds from the General Revenue Fund to the
department to develop and implement a capital improvement plan
for new and existing correctional facilities.

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(3) USE OF FUNDS.—From the specific amount appropriated
for capital improvement projects each fiscal year, the
department must use the funds in the following order of
priority:

(a) First, for the payment of debt service or funding of

76 debt service reserve funds, rebate obligations, or other amounts
77 payable with respect to bonds issued pursuant to this section.

78 (b) Second, to address the department's critical facility
79 needs, including, but not limited to, the construction of new
80 facilities or the maintenance and repair of existing facilities
81 of the department as appropriated in the General Appropriations
82 Act.

83 (4) NEW CORRECTIONAL INSTITUTION AND HOSPITAL UNIT.—

84 Beginning on July 1, 2026, the department shall begin the
85 planning and design phase for the construction of one new 4,800-
86 bed correctional institution and one new 600-bed hospital unit
87 that will include mental health services. The department shall
88 seek available state or local land for construction of the
89 facility, including existing prison sites. The site must be
90 located where the labor market, potential labor pool, and other
91 factors such as commute distance and cost of living are
92 favorable to provide a sufficient workforce for staffing the
93 facility. If state or locally owned land is not available, funds
94 may be used for purchase of land.

95 (5) CAPITAL IMPROVEMENTS.—

96 (a) The department shall include recommendations for the
97 use of funds in its annual legislative budget request.

98 (b) For any project costing more than \$5 million, the
99 department shall contract with a construction management entity
100 that will be responsible for scheduling and coordinating both

101 the design and construction phases of the project.

102 (c) Upon the completion of construction of any new
103 correctional institutions, the department shall submit a
104 recommendation to the Legislature to provide options for the
105 closure of existing facilities that are perpetually understaffed
106 or continue to present excessive repair and renovation costs.

107 (6) BONDING AUTHORITY.—

108 (a) The Division of Bond Finance of the State Board of
109 Administration is authorized to issue bonds to finance the cost
110 of constructing a new correctional facility. Bonds shall not be
111 issued for maintenance or repair of existing facilities.

112 (b) Bonds issued pursuant to this subsection are payable
113 from the funds appropriated and transferred pursuant to this
114 section.

115 (c) The department shall request that the Division of Bond
116 Finance issue bonds authorized by this section in accordance
117 with the General Appropriations Act. The Division of Bond
118 Finance shall issue such bonds pursuant to the State Bond Act.

119 (d) Except for bonds issued to refund previously issued
120 bonds, a series of bonds may not be issued pursuant to this
121 section unless such bonds are approved and the debt service for
122 the remainder of the fiscal year in which the bonds are issued
123 is specifically appropriated in the General Appropriations Act.

124 (7) FINANCING OVERSIGHT COMMITTEE.—To ensure that the
125 funds, including any bond proceeds, are spent in an efficient

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126 and responsible manner, a financing oversight committee is
127 created.

128 (a) The committee must include a representative from the
129 Senate, the House of Representatives, the Office of Policy and
130 Budget in the Executive Office of the Governor, the department,
131 and the Division of Bond Finance.

132 (b) The committee shall recommend the most cost-beneficial
133 and effective financing methods to meet the needs of the
134 department for any new capital facility construction.

135 **Section 2.** This act shall take effect July 1, 2026.