

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 713 Transportation of Inmates

SPONSOR(S): Rep. Garcia

TIED BILLS: N/A

IDEN./SIM. BILLS: SB 278

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) <u>Corrections (Sub)</u>	_____	<u>Cole</u>	<u>De La Paz</u>
2) <u>Public Safety and Crime Prevention</u>	_____	_____	_____
3) <u>Public Safety Appropriations (Sub)</u>	_____	_____	_____
4) <u>Appropriations</u>	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

The bill requires that inmates who are participating in a work release program authorized by the Department of Corrections (DOC) may travel to his or her place of employment, education, or training only by walking, bicycling, using public transportation, or transportation that is provided by a family member or employer. The bill authorizes DOC employees to transport inmates in these programs in state-owned vehicles as a last resort if the legislature creates a specific appropriation for them to do so.

The bill requires that no inmates of DOC be allowed to drive a state-owned vehicle for the purpose of transporting inmates who are participating in work release programs.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h0713.pscp.doc

DATE: March 10, 2003

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|------------------------------|-----------------------------|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. Empower families? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. EFFECT OF PROPOSED CHANGES:

S. 945.091 F.S., does not currently delineate how an inmate may get to and from his or her place of employment, education, or training while enrolled in these types of programs. The statute also does not currently prohibit inmates from driving other inmates in state-owned vehicles to and from these types of programs. DOC has ceased this practice by rule since it was brought to their attention. The bill codifies what is already being done procedurally.

The bill requires inmates participating in these programs to travel there by walking, bicycling, using public transportation, or transportation provided by a family member or employer. A Department of Corrections (DOC) employee currently may transport an inmate in a state-owned vehicle if the inmate is unable to obtain other means of travel. This will have to cease if a specific appropriation is not granted in the upcoming budget.

The bill specifically prohibits inmates from transporting other inmates in state-owned vehicles to and from work-release program employment.

C. SECTION DIRECTORY:

Section 1: Amends Section 945.091, F.S., to clarify means of transportation for an inmate to get to work, school, or training programs.

Section 2: Creates Section 945.0913, F.S., to prohibit inmates from driving other inmates in state-owned vehicles to and from their work-release program employment.

Section 3: Provides an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues: See Fiscal Comments.
2. Expenditures: If an appropriation is not made in the budget to allow DOC to transport work-release inmates in state vehicles when no other means are available, then the inmates who were working and preparing to re-enter society would have to go back into the prison system and await their end-

of-sentence date. Housing these inmates in prison would increase DOC expenditures. DOC is currently looking at how much this bill will affect them financially if this appropriation is not granted.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues: None.

2. Expenditures: None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR: Some employers who are willing to transport inmates to and from their work-release centers could possibly be impacted as far as paying for their own gas is concerned.

D. FISCAL COMMENTS: The bill does not appear to have any fiscal impact on state or local government. In the instance where a DOC employee transports an inmate to their place of employment, the inmate pays a minimal fee for the service.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision: N/A

2. Other: N/A

B. RULE-MAKING AUTHORITY: N/A

C. DRAFTING ISSUES OR OTHER COMMENTS: N/A

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

None.