

1   A bill to be entitled  
 2           An act relating to State-Operated Institutions Inmate  
 3           Welfare Trust Fund; amending s. 945.215, F.S.;  
 4           specifying which funds should receive revenue from  
 5           specified sources; revising the maximum annual amount  
 6           that may be deposited into the State-Operated  
 7           Institutions Inmate Welfare Trust Fund; adding  
 8           environmental health upgrades to Department of  
 9           Corrections facilities and fixed capital outlay for  
 10          educational facilities as permissible uses for funds  
 11          in the trust fund; amending s. 945.6037, F.S.;  
 12          revising the disposition of inmate copayments for  
 13          nonemergency health care; reenacting ss. 944.516(5),  
 14          944.73(2), and 946.002(4)(b), F.S., relating to the  
 15          disposition of unclaimed funds, the State-Operated  
 16          Institutions Inmate Welfare Trust Fund, and forfeiture  
 17          of a prisoner's earned funds, respectively, to  
 18          incorporate the amendments made by the act; providing  
 19          an effective date.

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

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 23           Section 1. Paragraph (d) of subsection (1) and paragraphs  
 24           (b) and (c) of subsection (2) of section 945.215, Florida  
 25           Statutes, are amended to read:

26 945.215 Inmate welfare and employee benefit trust funds.—  
 27 (1) INMATE PURCHASES; DEPARTMENT OF CORRECTIONS.—  
 28 (d) All proceeds from the following sources must be  
 29 deposited into the State-Operated Institutions Inmate Welfare  
 30 Trust Fund or, as provided in paragraph (2) (b), into the General  
 31 Revenue Fund:  
 32 1. The confiscation and liquidation of any contraband  
 33 found upon, or in the possession of, any inmate. ~~†~~  
 34 2. Disciplinary fines imposed against inmates. ~~†~~  
 35 3. Forfeitures of inmate earnings. ~~†~~ and  
 36 4. Unexpended balances in individual inmate trust fund  
 37 accounts of less than \$1.  
 38 5. Proceeds obtained through the collection of damages  
 39 pursuant to s. 960.293(2).  
 40 6. Cost of incarceration liens pursuant to s. 960.292(2).  
 41 7. Copayments made by inmates for nonemergency visits to a  
 42 healthcare provider.  
 43 (2) STATE-OPERATED INSTITUTIONS INMATE WELFARE TRUST  
 44 FUND.—  
 45 (b) Deposits into the trust fund may not exceed a total of  
 46 \$12.5 ~~\$2.5~~ million in any fiscal year. Any proceeds or funds  
 47 that would cause deposits into the trust fund to exceed this  
 48 limit must be deposited into the General Revenue Fund.  
 49 (c) Funds in the trust fund shall be used exclusively to  
 50 provide for or operate any of the following at correctional

51 facilities operated by the department:

52 1. Literacy programs, vocational training programs, and  
 53 educational programs, including fixed capital outlay for  
 54 educational facilities.

55 2. Inmate chapels, faith-based programs, visiting  
 56 pavilions, visiting services and programs, family services and  
 57 programs, and libraries.

58 3. Inmate substance abuse treatment programs and  
 59 transition and life skills training programs.

60 4. The purchase, rental, maintenance, or repair of  
 61 electronic or audiovisual equipment, media, services, and  
 62 programming used by inmates.

63 5. The purchase, rental, maintenance, or repair of  
 64 recreation and wellness equipment.

65 6. The purchase, rental, maintenance, or repair of  
 66 bicycles used by inmates traveling to and from employment in the  
 67 work-release program authorized under s. 945.091(1)(b).

68 7. Environmental health upgrades to facilities, including  
 69 fixed capital outlay for repairs and maintenance that would  
 70 improve environmental conditions of the correctional facilities.

71 Section 2. Paragraph (c) of subsection (1) of section  
 72 945.6037, Florida Statutes, is amended to read:

73 945.6037 Nonemergency health care; inmate copayments.—

74 (1)

75 (c) The proceeds of each copayment must be deposited into

76 | the State-Operated Institutions Inmate Welfare Trust Fund  
 77 | pursuant to s. 945.215(1)(d) or, as provided in s.  
 78 | 945.215(2)(b), into ~~in~~ the General Revenue Fund.

79 | Section 3. For the purpose of incorporating the amendment  
 80 | made by this act to section 945.215, Florida Statutes, in a  
 81 | reference thereto, subsection (5) of section 944.516, Florida  
 82 | Statutes, is reenacted to read:

83 | 944.516 Money or other property received for personal use  
 84 | or benefit of inmate; deposit; disposition of unclaimed trust  
 85 | funds.—The Department of Corrections shall protect the financial  
 86 | interest of the state with respect to claims which the state may  
 87 | have against inmates in state institutions under its supervision  
 88 | and control and shall administer money and other property  
 89 | received for the personal benefit of such inmates. In carrying  
 90 | out the provisions of this section, the department may delegate  
 91 | any of its enumerated powers and duties affecting inmates of an  
 92 | institution to the warden or regional director who shall  
 93 | personally, or through designated employees of his or her  
 94 | personal staff under his or her direct supervision, exercise  
 95 | such powers or perform such duties.

96 | (5) When an inmate is transferred between department  
 97 | facilities, is released from the custody of the department,  
 98 | dies, or escapes during incarceration, and the inmate has an  
 99 | unexpended inmate trust fund account balance of less than \$1,  
 100 | that balance shall be transferred to the State-Operated

101 Institutions Inmate Welfare Trust Fund or, as provided in s.  
 102 945.215(2) (b), into the General Revenue Fund.

103 Section 4. For the purpose of incorporating the amendment  
 104 made by this act to section 945.215, Florida Statutes, in a  
 105 reference thereto, subsection (2) of section 944.73, Florida  
 106 Statutes, is reenacted to read:

107 944.73 State-Operated Institutions Inmate Welfare Trust  
 108 Fund.—

109 (2) Moneys shall be deposited and the expenditures made  
 110 from the trust fund as provided in s. 945.215.

111 Section 5. For the purpose of incorporating the amendment  
 112 made by this act to section 945.215, Florida Statutes, in a  
 113 reference thereto, paragraph (b) of subsection (4) of section  
 114 946.002, Florida Statutes, is reenacted to read:

115 946.002 Requirement of labor; compensation; amount;  
 116 crediting of account of prisoner; forfeiture; civil rights;  
 117 prisoner not employee or entitled to compensation insurance  
 118 benefits.—

119 (4)

120 (b) When any prisoner escapes, the department shall  
 121 determine what portion of the prisoner's earnings shall be  
 122 forfeited, and such forfeiture shall be deposited in the State  
 123 Treasury in the State-Operated Institutions Inmate Welfare Trust  
 124 Fund of the department or, as provided in s. 945.215(2) (b), into  
 125 the General Revenue Fund.

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2023

126 |       Section 6.   This act shall take effect July 1, 2023.       |