

By Senator Osgood

32-00291-26

2026106__

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

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

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

944.092 Basic rights of inmates.—

(1) RIGHTS.—Each inmate in the correctional system has the
right to:

(a) Proper ventilation.—All housing units must have air-
conditioning systems or air-cooling systems; however, housing
units in use on or before July 1, 2026, which cannot be fitted
for air-conditioning or air-cooling systems must receive exhaust
and air circulators sufficient to provide a safe and healthful
environment for inmates.

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

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

32-00291-26

2026106__

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

(d) Necessary health supplies.—The department shall provide all of the following:

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

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

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

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

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

947.149 Conditional medical release.—

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

32-00291-26

2026106__

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

Section 3. This act shall take effect July 1, 2026.