

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.

20
 21 Be It Enacted by the Legislature of the State of Florida:

22
 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. For the purpose of incorporating the amendment
 72 made by this act to section 945.215, Florida Statutes, in a
 73 reference thereto, subsection (5) of section 944.516, Florida
 74 Statutes, is reenacted to read:

75 944.516 Money or other property received for personal use

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

88 (5) When an inmate is transferred between department
 89 facilities, is released from the custody of the department,
 90 dies, or escapes during incarceration, and the inmate has an
 91 unexpended inmate trust fund account balance of less than \$1,
 92 that balance shall be transferred to the State-Operated
 93 Institutions Inmate Welfare Trust Fund or, as provided in s.
 94 945.215(2)(b), into the General Revenue Fund.

95 Section 3. For the purpose of incorporating the amendment
 96 made by this act to section 945.215, Florida Statutes, in a
 97 reference thereto, subsection (2) of section 944.73, Florida
 98 Statutes, is reenacted to read:

99 944.73 State-Operated Institutions Inmate Welfare Trust
 100 Fund.—

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

103 Section 4. Paragraph (c) of subsection (1) of section
 104 945.6037, Florida Statutes, is amended to read:

105 945.6037 Nonemergency health care; inmate copayments.—

106 (1)

107 (c) The proceeds of each copayment must be deposited into
 108 the State-Operated Institutions Inmate Welfare Trust Fund
 109 pursuant to s. 945.215(1)(d) or, as provided in s.
 110 945.215(2)(b), into ~~in~~ the General Revenue Fund.

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