

A bill to be entitled

An act relating to the Department of Corrections; amending s. 316.003, F.S.; including vehicles operated by the department within the definition of the term "authorized Traffic Control Law; amending s. 316.2397, F.S.; authorizing the department to operate vehicles that have emergency lights and sirens; amending s. 945.215, F.S.; providing for the funds in the Employee Benefit Trust Fund to be used for certain additional purposes; limiting the types of donations that the department may accept for deposit into the fund; requiring that the fund be subject to oversight by the Secretary of Corrections and an annual audit; requiring that the department provide an annual report concerning allocations from the trust fund at the request of the Legislature and Governor; requiring that the department adopt rules; amending s. 945.21501, F.S.; requiring that facilities constructed using funds from the Employee Benefit Trust Fund provide maximum benefit for all employees; requiring that the department adopt rules; providing an effective date.

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

Section 1. Subsection (1) of section 316.003, Florida Statutes, is amended to read:

316.003 Definitions.--The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

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31 (1) AUTHORIZED EMERGENCY VEHICLES.--Vehicles of the fire
 32 department (fire patrol), police vehicles, and such ambulances
 33 and emergency vehicles of municipal departments, public service
 34 corporations operated by private corporations, the Department of
 35 Environmental Protection, the Department of Health, ~~and~~ the
 36 Department of Transportation, and the Department of Corrections
 37 as are designated or authorized by their respective department or
 38 the chief of police of an incorporated city or any sheriff of any
 39 of the various counties.

40 Section 2. Subsection (3) of section 316.2397, Florida
 41 Statutes, is amended to read:

42 316.2397 Certain lights prohibited; exceptions.--

43 (3) Vehicles of the fire department and fire patrol,
 44 including vehicles of volunteer firefighters as permitted under
 45 s. 316.2398, vehicles of medical staff physicians or technicians
 46 of medical facilities licensed by the state as authorized under
 47 s. 316.2398, ambulances as authorized under this chapter, and
 48 buses and taxicabs as authorized under s. 316.2399 are permitted
 49 to show or display red lights. Vehicles of the fire department,
 50 fire patrol, police vehicles, and such ambulances and emergency
 51 vehicles of municipal and county departments, public service
 52 corporations operated by private corporations, the Department of
 53 Environmental Protection, the Department of Transportation, ~~and~~
 54 the Department of Agriculture and Consumer Services, and the
 55 Department of Corrections as are designated or authorized by
 56 their respective department or the chief of police of an
 57 incorporated city or any sheriff of any county are hereby
 58 authorized to operate emergency lights and sirens in an
 59 emergency. Wreckers, mosquito control fog and spray vehicles, and
 60 emergency vehicles of governmental departments or public service

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61 corporations may show or display amber lights when in actual
 62 operation or when a hazard exists provided they are not used
 63 going to and from the scene of operation or hazard without
 64 specific authorization of a law enforcement officer or law
 65 enforcement agency. Wreckers must use amber rotating or flashing
 66 lights while performing recoveries and loading on the roadside
 67 day or night, and may use such lights while towing a vehicle on
 68 wheel lifts, slings, or under reach if the operator of the
 69 wrecker deems such lights necessary. A flatbed, car carrier, or
 70 rollback may not use amber rotating or flashing lights when
 71 hauling a vehicle on the bed unless it creates a hazard to other
 72 motorists because of protruding objects. Further, escort vehicles
 73 may show or display amber lights when in the actual process of
 74 escorting oversized equipment, material, or buildings as
 75 authorized by law. Vehicles of private watch, guard, or patrol
 76 agencies licensed pursuant to chapter 493 may show or display
 77 amber lights while patrolling condominium, cooperative, and
 78 private residential and business communities by which employed
 79 and which traverse public streets or highways.

80 Section 3. Subsection (3) of section 945.215, Florida
 81 Statutes, is amended to read:

82 945.215 Inmate welfare and employee benefit trust funds.--

83 (3) EMPLOYEE BENEFIT TRUST FUND; DEPARTMENT OF
 84 CORRECTIONS.--

85 (a) The department may establish an Employee Benefit Trust
 86 Fund. Trust fund sources may be derived from any of the
 87 following:

- 88 1. Proceeds of vending machines, staff canteens, or other
 89 such services not intended for use by inmates.
- 90 2. Net proceeds of the recycling program.

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91 ~~3.2-~~ Donations, except for donations made by, or on behalf
 92 of, an individual inmate, and except for donations made by a
 93 person who provides, or seeks to provide, goods or services to
 94 the department under a contract or an agreement, individually or
 95 through a corporation or organization.

96 ~~4.3-~~ Additional trust funds and grants which may become
 97 available.

98 (b) Funds from the Employee Benefit Trust Fund may be used
 99 for employee appreciation programs and activities and to
 100 construct, operate, and maintain training and recreation
 101 facilities at correctional facilities for the exclusive use of
 102 department employees. Such facilities are the property of the
 103 department and must provide the maximum benefit to all interested
 104 employees, regardless of gender.

105 (c) The Employee Benefit Trust Fund shall be established as
 106 a separate and distinct set of accounts, which shall be
 107 maintained centrally by the department, overseen by the
 108 secretary, and subject to an annual audit by the department's
 109 inspector general.

110 (d) The department shall maintain sufficient data to
 111 provide an annual report, upon request, to the President of the
 112 Senate, the Speaker of the House of Representatives, and the
 113 Executive Office of the Governor on January 1 which lists the
 114 types of services provided using moneys in the trust fund and the
 115 allocations of funds spent.

116 (e) The department shall adopt rules under ss. 120.536(1)
 117 and 120.54 to administer this subsection.

118 Section 4. Section 945.21501, Florida Statutes, is amended
 119 to read:

120 945.21501 Employee Benefit Trust Fund.--

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121 (1) There is hereby created in the Department of
 122 Corrections the Employee Benefit Trust Fund. The purpose of the
 123 trust fund shall be to:

124 (a) Construct, operate, and maintain training and
 125 recreation facilities at correctional facilities for the
 126 exclusive use of department employees. Any facility constructed
 127 using funds from the Employee Benefit Trust Fund is the property
 128 of the department and must provide the maximum benefit to all
 129 interested employees, regardless of gender.

130 (b) Provide funding for employee appreciation programs and
 131 activities designed to enhance the morale of employees.

132
 133 Moneys shall be deposited in the trust fund as provided in s.
 134 945.215.

135 (2) Notwithstanding the provisions of s. 216.301 and
 136 pursuant to s. 216.351, any balance in the trust fund at the end
 137 of any fiscal year shall remain in the trust fund at the end of
 138 the year and shall be available for carrying out the purposes of
 139 the trust fund.

140 (3) The department shall adopt rules pursuant to ss.
 141 120.536(1) and 120.54 to administer this section.

142 Section 5. This act shall take effect upon becoming a law.
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