

1 A bill to be entitled
 2 An act relating to the State-Operated Institutions
 3 Inmate Welfare Trust Fund; amending s. 945.215, F.S.;
 4 increasing the maximum amount of funds that may be
 5 deposited into the trust fund in a fiscal year; adding
 6 environmental health upgrades to Department of
 7 Corrections facilities as a permissible use for funds
 8 in the trust fund; reenacting ss. 944.516(5),
 9 944.73(2), and 946.002(4)(b), F.S., relating to the
 10 disposition of unclaimed funds, the State-Operated
 11 Institutions Inmate Welfare Trust Fund, and forfeiture
 12 of a prisoner's earned funds, respectively, to
 13 incorporate the amendments made by the act; providing
 14 an effective date.

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

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 18 Section 1. Paragraphs (b) and (c) of subsection (2) of
 19 section 945.215, Florida Statutes, are amended to read:

20 945.215 Inmate welfare and employee benefit trust funds.—

21 (2) STATE-OPERATED INSTITUTIONS INMATE WELFARE TRUST
 22 FUND.—

23 (b) Deposits into the trust fund may not exceed a total of
 24 \$7.5 ~~\$2.5~~ million in any fiscal year. Any proceeds or funds that
 25 would cause deposits into the trust fund to exceed this limit

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

26 | must be deposited into the General Revenue Fund.

27 | (c) Funds in the trust fund shall be used exclusively to
 28 | provide for or operate any of the following at correctional
 29 | facilities operated by the department:

30 | 1. Literacy programs, vocational training programs, and
 31 | educational programs.

32 | 2. Inmate chapels, faith-based programs, visiting
 33 | pavilions, visiting services and programs, family services and
 34 | programs, and libraries.

35 | 3. Inmate substance abuse treatment programs and
 36 | transition and life skills training programs.

37 | 4. The purchase, rental, maintenance, or repair of
 38 | electronic or audiovisual equipment, media, services, and
 39 | programming used by inmates.

40 | 5. The purchase, rental, maintenance, or repair of
 41 | recreation and wellness equipment.

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

45 | 7. Environmental health upgrades to facilities, to include
 46 | fixed capital outlay repairs and maintenance that would improve
 47 | environmental conditions of the correctional facilities.

48 | Section 2. For the purpose of incorporating the amendment
 49 | made by this act to section 945.215, Florida Statutes, in a
 50 | reference thereto, subsection (5) of section 944.516, Florida

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51 Statutes, is reenacted to read:

52 944.516 Money or other property received for personal use
53 or benefit of inmate; deposit; disposition of unclaimed trust
54 funds.—The Department of Corrections shall protect the financial
55 interest of the state with respect to claims which the state may
56 have against inmates in state institutions under its supervision
57 and control and shall administer money and other property
58 received for the personal benefit of such inmates. In carrying
59 out the provisions of this section, the department may delegate
60 any of its enumerated powers and duties affecting inmates of an
61 institution to the warden or regional director who shall
62 personally, or through designated employees of his or her
63 personal staff under his or her direct supervision, exercise
64 such powers or perform such duties.

65 (5) When an inmate is transferred between department
66 facilities, is released from the custody of the department,
67 dies, or escapes during incarceration, and the inmate has an
68 unexpended inmate trust fund account balance of less than \$1,
69 that balance shall be transferred to the State-Operated
70 Institutions Inmate Welfare Trust Fund or, as provided in s.
71 945.215(2) (b), into the General Revenue Fund.

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

76 944.73 State-Operated Institutions Inmate Welfare Trust
77 Fund.—

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

80 Section 4. For the purpose of incorporating the amendment
81 made by this act to section 945.215, Florida Statutes, in a
82 reference thereto, paragraph (b) of subsection (4) of section
83 946.002, Florida Statutes, is reenacted to read:

84 946.002 Requirement of labor; compensation; amount;
85 crediting of account of prisoner; forfeiture; civil rights;
86 prisoner not employee or entitled to compensation insurance
87 benefits.—

88 (4)

89 (b) When any prisoner escapes, the department shall
90 determine what portion of the prisoner's earnings shall be
91 forfeited, and such forfeiture shall be deposited in the State
92 Treasury in the State-Operated Institutions Inmate Welfare Trust
93 Fund of the department or, as provided in s. 945.215(2)(b), into
94 the General Revenue Fund.

95 Section 5. This act shall take effect July 1, 2022.