

Committee Substitute for House Bill No. 4051

An act relating to the Florida Statutes; repealing various statutory provisions that have become obsolete, have had their effect, have served their purpose, or have been impliedly repealed or superseded; repealing s. 775.13(4), F.S., relating to registration of certain convicted felons; amending s. 943.325, F.S.; revising a cross reference, to conform; repealing s. 944.1053, F.S., relating to certain agreements or contracts for correctional facilities or county detention facilities and the applicability of ch. 86-183, Laws of Florida, thereto, which provision is published elsewhere in statutes; amending s. 945.215, F.S.; deleting a provision relating to repayment of a sum appropriated in fiscal year 1996-1997 from the Inmate Welfare Trust Fund for correctional work programs; amending s. 947.03, F.S.; deleting provisions relating to tenure and removal of members of the Parole Commission serving on a specified date; providing an effective date.

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

Section 1. Subsection (4) of section 775.13, Florida Statutes, is repealed.

Section 2. Paragraph (c) of subsection (10) of section 943.325, Florida Statutes, is amended to read:

943.325 Blood specimen testing for DNA analysis.—

(10)

(c) Any person previously convicted of an offense specified in this section, or a crime which, if committed in this state, would be an offense specified in this section, and who is also subject to the registration requirement imposed by s. 775.13, shall be subject to the collection requirement of this section when the appropriate agency described in this section verifies the identification information of the person. The collection requirement of this section does not apply to a person as described in s. 775.13~~(5)~~(6).

Section 3. Section 944.1053, Florida Statutes, is repealed.

Section 4. Paragraph (a) of subsection (1) of section 945.215, Florida Statutes, is amended to read:

945.215 Inmate welfare and employee benefit trust funds.—

(1) INMATE WELFARE TRUST FUND; DEPARTMENT OF CORRECTIONS.—

(a) The Inmate Welfare Trust Fund constitutes a trust held by the department for the benefit and welfare of inmates incarcerated in correctional facilities operated directly by the department and for visitation and family programs and services in such correctional facilities. Funds shall be credited to the trust fund as follows:

1. All funds held in any auxiliary, canteen, welfare, or similar fund in any correctional facility operated directly by the department.

2. All net proceeds from operating inmate canteens, vending machines used primarily by inmates and visitors, hobby shops, and other such facilities; however, funds necessary to purchase items for resale at inmate canteens and vending machines must be deposited into local bank accounts designated by the department.

3. All proceeds from contracted telephone commissions. The department shall develop and update, as necessary, administrative procedures to verify that:

a. Contracted telephone companies accurately record and report all telephone calls made by inmates incarcerated in correctional facilities under the department's jurisdiction;

b. Persons who accept collect calls from inmates are charged the contracted rate; and

c. The department receives the contracted telephone commissions.

4. Any funds that may be assigned by inmates or donated to the department by the general public or an inmate service organization; however, the department shall not accept any donation from, or on behalf of, any individual inmate.

~~5. Repayment of the one-time sum of \$500,000 appropriated in fiscal year 1996-1997 from the Inmate Welfare Trust Fund for correctional work programs pursuant to s. 946.008.~~

5.6. All proceeds from:

a. The confiscation and liquidation of any contraband found upon, or in the possession of, any inmate;

b. Disciplinary fines imposed against inmates;

c. Forfeitures of inmate earnings; and

d. Unexpended balances in individual inmate trust fund accounts of less than \$1.

~~6.7.~~ All interest earnings and other proceeds derived from investments of funds deposited in the trust fund. In the manner authorized by law for fiduciaries, the secretary of the department, or the secretary's designee, may invest any funds in the trust fund when it is determined that such funds are not needed for immediate use.

Section 5. Subsection (1) of section 947.03, Florida Statutes, is amended to read:

947.03 Commissioners; tenure and removal.—

(1) ~~Unless otherwise provided by law, each commissioner serving on July 1, 1983, shall be permitted to remain in office until completion of his or her current term. Upon the expiration of the term of any member of the commission, a successor shall be appointed in the manner prescribed pursuant to the provisions of this section, unless otherwise provided by law. Members appointed by the Governor and Cabinet shall be appointed for a term terms~~ of 6 years, unless otherwise provided by law. No person is eligible to be appointed for more than two consecutive 6-year terms.

Section 6. This act shall take effect upon becoming a law.

Approved by the Governor June 19, 2000.

Filed in Office Secretary of State June 19, 2000.