

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 amendment made to s. 945.215, F.S., in  
 14                    references thereto; providing an effective date.

15  
 16                    Be It Enacted by the Legislature of the State of Florida:

17  
 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                    \$30 ~~\$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

HB433

2022

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.