

July 8, 2013

NOTICE OF RULE DEVELOPMENT

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-401.401

RULE TITLE: Use of Tobacco Products.

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify which inmates are prohibited from possessing tobacco products.

SUBJECT AREA TO BE ADDRESSED: The use of tobacco products by inmates.

RULEMAKING AUTHORITY: 944.09, 944.115 FS

LAW IMPLEMENTED: 386.201, 386.202, 386.203, 386.204, 386.205, 386.206, 944.09, 944.115 FS

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND TO OBTAIN A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Paul Vazquez, 501 South Calhoun Street, Tallahassee, Florida 32399.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-401.401 Use of Tobacco Products.

(1)-(5) No change.

(6) All inmates at all state correctional facilities, with the exception of those participating in a community release program under Rule 33-601.602, F.A.C., or as otherwise provided in subsection (7) of this rule, no inmate shall be allowed to possess any tobacco products or lighters.

(7) – (9) No change.

Rulemaking Authority 944.09, 944.115 FS. Law Implemented 386.201, 386.202, 386.203, 386.204, 386.205, 386.206, 944.09, 944.115 FS. History-New 12-31-80, Formerly 33-20.01, Amended 3-12-86, 2-24-92, 1-4-94, Formerly 33-20.001, Amended 2-3-00, 10-1-03, 6-18-08, 10-1-11, 6-18-13. ____.