

October 13, 2022

Notice of Development of Rulemaking

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-601.105 Restoration of Forfeited Gain Time

PURPOSE AND EFFECT: The rule authorizes the restoration of gain time forfeited due to disciplinary infractions. Currently, the Assistant Deputy Secretary of Institutions or her designee is the final reviewing authority for a request for restoration of forfeited gain time, unless the forfeiture was for a particularly serious infraction enumerated in sub-subsection (3)(a)5. of the rule. The proposed change allows the Secretary to delegate authority to restore gain time that was forfeited for these particularly serious infractions to the Assistant Deputy Secretary of Institutions, creating a more streamlined, efficient process with a single reviewer for all requests for restoration.

SUBJECT AREA TO BE ADDRESSED: Restoration of Forfeited Gain Time.

RULEMAKING AUTHORITY: 944.09, 944.275, F.S.

LAW IMPLEMENTED: 944.09, 944.275, 944.28, F.S.

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 REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Office of the General Counsel, Attn: FDC Rule Correspondence, 501 South Calhoun Street, Tallahassee, Florida 32399, FDCRuleCorrespondence@fdc.myflorida.com. A copy of the preliminary draft may also be obtained using the following link: <http://www.dc.state.fl.us/legal/ch33/notices/index.html>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE