

May 29, 2013

NOTICE OF PROPOSED RULE

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.201

RULE TITLE: Inmate Work Program

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to make it clear that Department officials have final authority over the work assignments of inmates housed in private facilities.

SUMMARY: To ensure the rule clearly reflects that Department officials have final authority over the work assignments of all inmates.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an adverse impact on small business and is not expected to directly or indirectly increase regulatory costs more than \$200,000 within a year of taking effect. A SERC has not been prepared by the agency. The agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: upon review of the proposed changes to these rules and incorporated forms, the department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. Any person who wishes to provide information regarding the statement of estimated regulatory costs or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 20.315, 944.09 FS

LAW IMPLEMENTED: 944.09, 944.10(7), 946.002, 946.006(3), 946.40(1), 946.511(1)(b) FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED

RULE IS: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.201 Inmate Work Program.

(1) – (6) No change.

(7) A Department of Corrections representative at private facilities shall review and approve all inmate job placements to include outside jobs and all high risk inside assignments.

Specific Authority 20.315, 944.09 FS. Law Implemented 944.09, 944.10(7), 946.002, 946.006(3), 946.40(1), 946.511(1)(b) FS. History–New 10-8-76, Amended 4-19-79, Formerly 33-3.03, Amended 2-26-86, 1-28-98, Formerly 33-3.003, Amended 11-8-00,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: James Upchurch, Assistant Secretary of Institutions

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael D. Crews

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 5-23-13

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: 5-13-13