

June 7, 2013

NOTICE OF RULE DEVELOPMENT

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.727

RULE TITLE: Visitor Conduct

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to explain under what circumstances a visitor to one of the Department's correctional institutions may breastfeed their baby.

SUBJECT AREA TO BE ADDRESSED: Visitor Conduct

RULEMAKING AUTHORITY: 944.09 FS

LAW IMPLEMENTED: 944.09, 944.23, 944.47, 944.8031 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 A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.727 Visitor Conduct.

(1) Visitors must conduct themselves in accordance with the following requirements while on department property.

(a) –(k) No change.

(l) Visitors who are nursing may breastfeed their babies during their visit. In the interests of safety and security, nursing mothers must cover their breasts with a non-quilted baby blanket while nursing. At no time shall the nipple of the mother's breast be uncovered and exposed in the visiting park. A mother may choose to leave the visiting park to breastfeed her baby and she shall be permitted to reenter the visiting park subject to a search of her person and belongings. Nursing mothers shall not be directed to the institution's restroom to breastfeed.

(2) – (3) No change.

Rulemaking Authority 944.09 FS. Law Implemented 944.09, 944.23, 944.47, 944.8031 FS. History—New 11-18-01,
Amended 5-27-02, 9-29-03, 3-29-07, 2-21-13,_____.