

April 15, 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 enable the Department to suspend a visitor's visitation privileges if they conspire or agree to introduce contraband into an institution or they solicit, encourage, hire or request another person to engage in such conduct.

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) – (b) No change.

(c) Visitors shall not possess, introduce, ~~or~~ attempt to introduce, conspire or otherwise agree to introduce contraband or illegal items into or onto the grounds of any department institution or facility nor shall they solicit, command, encourage, hire or request another person to engage in specific conduct which would constitute such offense or an attempt to commit such offense. Violations shall result in the suspension of visiting privileges by the warden or designee. Contraband items not of an illegal nature shall be seized by staff when found and shall be

returned only on the approval of the duty warden.

(d) – (k) No change.

(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,\_\_\_\_\_.