

Notice of Development of Rulemaking

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-502.101 Inmate Access to Weight Training Equipment

PURPOSE AND EFFECT: The rule is being modified to replace references from a weight training program to a fitness training program, to more accurately reflect the program being offered to inmates.

SUBJECT AREA TO BE ADDRESSED: Fitness Training Equipment

RULEMAKING AUTHORITY: 944.09, 944.282, F.S.

LAW IMPLEMENTED: 944.282, 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.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-502.101 Inmate Access to Fitness Weight Training Equipment

(1) Any inmate who wishes to utilize institutional fitness weight training equipment shall be required to complete the fitness weight training orientation program which outlines safety techniques for fitness weight training and encourages inmates who have questions to direct them to professional wellness-education staff at the institution. After completing the training program, the inmate will be required to pass the written fitness weight training competency exam which demonstrates that the inmate understands safety techniques and responsible behaviors related to fitness weight training.

(2) Any inmate who has been found guilty of a disciplinary infraction within the previous 120 days or has received an unsatisfactory work rating within the previous 120 days shall not be eligible to use fitness weight training equipment. Institutional classification staff shall compile a list each week of all inmates who have received disciplinary reports or who have received unsatisfactory work ratings. This list shall be provided to wellness program staff who shall utilize it to determine which inmates are eligible to utilize fitness weight training equipment in the wellness activity area. Ineligible inmates who are found using fitness weight equipment will be subject to disciplinary action in accordance with the Rules 33-601.301-.314, F.A.C.

Specific Authority 944.09, 944.282 FS. Law Implemented 944.282 FS. History—New 7-6-97, Formerly 33-3.025, 33-506.301, _____.