

January 29, 2014

NOTICE OF RULE DEVELOPMENT

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.2035

RULE TITLE: Inmate Substance Abuse Testing

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to include K-2 as a drug tested for on Form DC6-2066, Reasonable Suspicion Testing Tracking.

SUBJECT AREA TO BE ADDRESSED: Inmate Substance Abuse Testing

RULEMAKING AUTHORITY: 944.09, 944.473 FS

LAW IMPLEMENTED: 944.09, 944.472, 944.473 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 REGISTER.

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:

33-602.2035 Inmate Substance Abuse Testing.

The Office of Institutions shall be responsible for the development and implementation of the department's substance abuse testing program.

(1) – (2) No change.

(3) Procedures.

(a) – (e) No change.

(f) Other on-site testing device procedures.

1. No change.

2. All correctional facilities shall maintain a record of all reasonable suspicion substance abuse tests conducted.

This record shall be maintained by the correctional officer chief or designee. Form DC6-2066, Reasonable Suspicion

Testing Tracking, shall be utilized for this purpose. Form DC6-2066 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02089>. The effective date of the form is \_\_\_\_ ~~2-13~~.

(g) No change.

Rulemaking Authority 944.09, 944.473 FS. Law Implemented 944.09, 944.472, 944.473 FS. History—New 2-8-00, Amended 2-5-01, Formerly 33-602.2045, Amended 7-2-02, 2-19-07, 7-29-08, 8-26-09, 2-10-10, 11-28-10, 1-11-12, Formerly 33-108.101, Amended 2-17-13,\_\_\_\_\_.