

January 16, 2009

NOTICE OF PROPOSED RULEMAKING

DEPARTMENT OF CORRECTIONS

RULE TITLE:

RULE NO.:

Responsibilities of Staff Housing Occupants

33-208.507

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Rule 33-208.507 to eliminate a discrepancy that prohibits adult occupants from possessing electronic weapons or devices while allowing minors to possess such weapons under adult supervision.

SUMMARY: The proposed amendment clarifies that electronic weapons are prohibited in staff housing.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: (If one has been prepared)

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.

SPECIFIC AUTHORITY: 20.315, 944.09(1), 945.025(1), FS.

LAW IMPLEMENTED: 20.315, 944.09(1), 944.10, 945.025(1), FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

THE FULL TEXT OF THE PROPOSED RULE IS:

33-208.507 Responsibilities of Staff Housing Occupants.

(1) through (3) No Change.

(4) Firearms.

(a) through (e) No Change.

(f) Occupants of staff housing shall follow the restrictions placed on the possession and use of BB guns or air or gas-operated guns, ~~or electric weapons or devices~~ by minors under 16 in accordance with Section 790.22, F.S.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 944.10, 945.025(1) FS. History-New 9-1-88, Formerly 33-26.007 33-602.507, Amended 8-16-00, 1-19-03, 3-30-05, 10-29-08, _____.

Name of Person Originating Proposed Rule: George Sapp, Assistant Secretary of Institutions.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Walter A McNeil, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 11-17-08

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: 12-12-08