

November 3, 2017

.NOTICE OF RULE DEVELOPMENT

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-203.201

RULE TITLE: Inmate Trust Fund

PURPOSE AND EFFECT: The purpose of the Rule amendment is to provide greater accountability, detect fraudulent, unauthorized, or other illegal financial transactions by limiting depositors to those individuals on the inmate's approved visitor list.

SUBJECT AREA TO BE ADDRESSED: Financial transactions (Deposits) into an inmate's trust fund account.

RULEMAKING AUTHORITY: 944.09, 944.151, 944.516, 945.091, 945.215

LAW IMPLEMENTED: 17.61, 20.315(12), 57.085, 717.113, 944.09, 944.151, 944.516, 945.091, 945.215

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: Gregory Hill, 501 South Calhoun Street, Tallahassee, Florida 32399.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-203.201 Inmate Trust Fund.

(1) No change.

(2)(a) Deposit of monies from individuals shall only be accepted from individuals listed on the inmate's approved visitation list. A sixty (60) day grace period shall be provided to all newly received inmates commencing on the inmate's initial date of reception.

(b) All monies from authorized remitters ~~family and friends~~ (cashiers checks, money orders, or certified bank drafts only; no cash or personal checks allowed) shall be mailed pursuant to the instructions provided on Form DC2-363, Money Order Deposit Form For Inmate Deposits, and shall be initially deposited into the Inmate Trust Fund. Form DC2-363 is hereby incorporated by reference; and is available ~~This form may be obtained~~ from any institution, facility, the vendor listed on Form DC2-363, ~~the Bureau of Finance and Accounting, Inmate Trust Fund Section, Centerville Station, P.O. Box 12100, Tallahassee, Florida 32317-2100~~ or the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-08569>. The effective date of this form is 8-17. Funds must be mailed with the completed Form DC2-363, Money Order Deposit Form For Inmate Deposits, and made payable to vendor listed on Form DC2-

363 and include the inmate's name and DC number. Funds will become available for the inmate's use within ten working days after receipt by the vendor. Every effort shall be made to have funds available sooner. Deposits ~~from family and friends~~ mailed directly to an institutional or other Department addresses including the Bureau of Finance and Accounting, Inmate Trust Fund Section will be returned to the sender. Do not include any letters or notes with your payments, these will be discarded. All other types of payments such as U.S. Treasury Checks, transfers from Private Facilities/County Jails, and business checks should continue to be mailed to the Inmate Trust Fund Address: Florida Department of Corrections, Inmate Trust Fund, Centerville Station, P.O. Box 12100, Tallahassee, FL 32317-2100. Any money order, cashier's check, business check or certified bank draft in the amount of \$400 or higher posted to an inmate's account will have a ten day hold placed on the funds. On the tenth day the funds will be available for the inmate's use. Deposits processed through the contracted vendor, checks from the State of Florida, U.S. Treasury Checks, transfer checks from contracted facilities and county jails, and work release paychecks are exempt from the 10 day hold.

(~~bc~~) Renumbered. No change.

(~~ed~~) Renumbered. No change.

(~~de~~) Renumbered. No change.

(3) - (12) No change.

Rulemaking Authority 944.09, 944.151, 944.516, 945.091, 945.215 FS. Law Implemented 17.61, 20.315(12), 57.085, 717.113, 944.09, 944.151, 944.516, 945.091, 945.215 FS. History—New 1-27-86, Amended 7-16-89, 5-1-90, 3-2-92, 6-2-92, 8-25-92, 10-19-92, 4-13-93, 5-28-96, 6-15-98, Formerly 33-3.018, Amended 5-7-00, 7-13-03, 10-20-03, 1-23-05, 5-12-05, 11-12-06, 9-2-08, 5-26-09, 7-1-13, 3-11-14, 8-15-17.