

February 3, 2012

NOTICE OF PROPOSED RULE

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.223

RULE TITLE: Designation of Institutions for Youthful Offenders

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to remove the list of specific youthful offender institutions and indicate that youthful offenders may be reassigned to non-youthful offender facilities per s. 958.11, F.S.

SUMMARY: The proposed rule removes the list of specific youthful offender institutions and indicates that youthful offenders may be reassigned to non-youthful offender facilities pursuant to s. 958.11, F.S.

STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an adverse impact on small business and is not likely to directly or indirectly increase regulatory costs by more than \$200,000 within one year of taking effect. A SERC has not been prepared by the agency. Based on analysis from the Bureau of Classification and Central Records indicating that the rule change only affects internal operations of the Department by permitting more flexibility in where a youthful offender program will be located and would not have an impact on small business or the private sector, the rule is not expected to require legislative ratification. Any person who wishes to provide information regarding the statement of estimated regulatory cost or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 944.09, 958.11 FS

LAW IMPLEMENTED: 944.09, 958.11 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: Laura Gallagher, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.223 Designation of Institutions for Youthful Offenders.

(1) Upon completion of the reception process, each youthful offender shall be transferred to an institution designated for his or her age and custody in accordance with Section 958.11, F.S.

(2) Youthful Offenders may be reassigned to non-youthful offender facilities in accordance with Section 958.11,

F.S. The following are designated as youthful offender institutions:

- ~~(a) Indian River Correctional Institution;~~
- ~~(b) Lancaster Correctional Institution and Lancaster Work Camp;~~
- ~~(c) Brevard Correctional Institution and Brevard Work Camp;~~
- ~~(d) Sumter Correctional Institution — Male Basic Training Program;~~
- ~~(e) Lowell Correctional Institution Women's Unit — Basic Training Program;~~
- ~~(f) Lake City Correctional Institution;~~
- ~~(g) Hernando Correctional Institution; and~~
- ~~(h) Taylor Correctional Institution Annex.~~

Rulemaking Specific Authority 944.09, 958.11 FS. Law Implemented 944.09, 958.11 FS. History—New 10-11-95, Amended 9-11-97, 4-14-98, Formerly 33-33.009, Amended 3-13-01, Formerly 33-506.103, Amended 12-7-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tim Cannon, Assistant Secretary of Institutions

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth S. Tucker, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 4-22-11

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: 5-13-11