

September 2, 2011

NOTICE OF PROPOSED RULE

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.718

RULE TITLE: Review of Request for Visiting Privileges

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to transfer via rulemaking Form DC6-111D from Rule 33-601.737, F.A.C., and to amend the form to permit staff to consider an applicant's relationship to the inmate if the applicant is a victim.

SUMMARY: Form DC6-111D is being transferred from Rule 33-601.737, F.A.C., to this rule. Form DC6-111D is updated to permit staff to evaluate a victim's relationship to an inmate for whom the victim has requested visitation privileges.

SUMMARY OF 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 the fact that the rule is only being amended to incorporate a form in a different location, and based on analysis from the Bureau of Classification and Central Records that the form change only affects internal operations and would not impact 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 costs, 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 FS

LAW IMPLEMENTED: 20.315, 944.09, 944.23 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: Kendra Lee Jowers, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.718 Review of Request for Visiting Privileges.

In approving or disapproving visiting privileges, assigned institutional classification officer shall review Form

DC6-111A, the Request for Visiting Privileges, Form DC6-111A, and shall consider all factors related to the security, order, or effective management of the institution. Form DC6-111A is incorporated by reference in Rule 33-601.715, F.A.C.

(1) No change.

(2) The assigned institutional classification officer staff shall evaluate a person's criminal history and visiting background using Form DC6-111D, the Visitor Screening Matrix, Form DC6-111D. Form DC6-111D is hereby incorporated by reference. A copy is available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of this form is October, 2011.

~~(3) Form DC6-111D is incorporated by reference in Rule 33-601.737, F.A.C.~~

Rulemaking Specific Authority 944.09, 944.23 FS. Law Implemented 20.315, 944.09, 944.23 FS. History--New 11-18-01, Amended 9-29-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Russell Hosford, Assistant Secretary of Institutions

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Edwin Buss, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 6-20-11

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: 7-8-11