

33-210.202 Facility Requirements for Correctional Institutions.

(1) Pursuant to section 553.865(4), Florida Statutes, each state correctional institution or private correctional facility must maintain, at a minimum:

(a) At least one restroom designated for exclusive use by females and at least one restroom designated for exclusive use by males, as defined in section 553.865(3), Florida Statutes; or

(b) At least one unisex restroom.

(2) Pursuant to section 553.865(5), Florida Statutes, each state correctional institution or private correctional facility that maintains a changing facility must maintain, at a minimum:

(a) At least one changing facility designated for exclusive use by females and at least one changing facility designated for exclusive use by males, as defined in section 553.865(3), Florida Statutes; or

(b) At least one unisex changing facility.

(3) Each state correctional institution or private correctional facility must certify compliance with sections 553.865(4) and (5), Florida Statutes, by completing Form DC2-5040 and submitting it to the Division of Facilities Management & Building Construction. Form DC2-5040 is hereby incorporated by reference. Copies of this form may be obtained from the Forms Control Administrator, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-16303>. The effective date of the form is 01/24.

(a) For institutions established prior to July 1, 2023, Form DC2-5040 must be submitted on or before April 1, 2024.

(b) For institutions established on or after July 1, 2023, Form DC2-5040 must be submitted within one year after the institution is established.

Rulemaking Authority 944.09, 553.865, F.S. Law implemented 553.865, F.S. History – New 1-16-24.