

February 22, 2016

NOTICE OF PROPOSED RULE

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.602

RULE TITLE: Community Release Programs

PURPOSE AND EFFECT: The purpose and effect of the amendment is to amend form DC6-199, which is incorporated in this rule.

SUMMARY: The proposed rule amends form DC6-199 to provide additional fields. This form is used in the issuance of electronic monitoring equipment to inmates engaging in the community release program. The additional fields will be used in the event of a second issuance of such equipment to a given inmate.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE

RATIFICATION: The Department has determined that this rule will not have an adverse impact on small business and is not expected to directly or indirectly increase regulatory costs more than \$200,000 within a year of taking effect. A SERC has not been prepared by the Department. The Department has determined that the proposed rule is not expected to require legislative ratification based on the SERC or, if no SERC is required, the information expressly relied upon and described herein: upon review of the proposed changes to the rule, the Department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in s. 120.541(2)(a), FS. 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: 944.09,944.026,944.105,945.091,946.002, 958.09 FS

LAWS IMPLEMENTED: 945.091, 946.002 FS

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED

RULE IS: Adam Stallard, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.602 Community Release Programs.

(1) through (3) No change

(4) Inmate Conduct While on Community Release.

(a) No change

(b) Inmates assigned to a community release program may be subject to electronic monitoring to ensure the safety and security of the public and are required to abide by the Community Release Center Electronic Monitoring Equipment Assignment Rules, Form DC6-199. Form DC6-199 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>. The effective date of the form is _____-1-±4.

(c) through (f) No change

(5) through (18) No change

Rulemaking Authority 944.09, 944.026, 944.105, 945.091, 946.002, 958.09 FS. Law Implemented 945.091, 946.002 FS. History-New 12-7-97, Amended 4-13-98, 10-20-98, Formerly 33-9.023, Amended 3-14-01, 9-2-01, 10-27-03, 3-2-04, 10-28-04,2-7-05,2-22-07,7-17-07,4-10-08,9-30-08, 1-18-11,3-6-14, 7-14-14,_____

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard D. Comerford, Director of Institutional Operations

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Julie L. Jones, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 27, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 28,2015