

March 22, 2017

NOTICE OF RULE DEVELOPMENT

DEPARTMENT OF CORRECTIONS

RULE NO.:      RULE TITLE:

33-601.502      Discharge Gratuity

PURPOSE AND EFFECT: The purpose and effect is to amend Rules 33-601.502 and delete references to the legislative authorization of the amount of discharge gratuity provided to inmates as such authorization is not included in statute.

SUBJECT AREA TO BE ADDRESSED: Discharge Gratuity

RULEMAKING AUTHORITY: 20.315, 944.09 FS

LAWS IMPLEMENTED: 944.09 FS

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 REGISTER. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND TO OBTAIN A COPY OF THE PRELIMINARY DRAFT IS: Kyle Magee, 501 South Calhoun Street, Tallahassee, Florida 32399.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.502 Discharge Gratuity.

(1) The secretary shall authorize the payment of a discharge gratuity to inmates discharged from the custody of the Department of Corrections, ~~in such amounts as the Legislature may from time to time provide.~~ A discharge gratuity shall be provided to any inmate released on parole, expiration of sentence, pardon or permanent court order, except those inmates released in any of the following situations:

(a) through (d) No change

(2) through (4) No change

(5) In hardship cases where, as determined by the Secretary or the Warden, the best interests of the inmate and the state would be served by the payment of more than the standard gratuity, an additional gratuity shall be provided, the total of such gratuity not to exceed twice the standard gratuity, ~~authorized by the Legislature.~~ Consideration for

this additional gratuity shall be given to any inmate who has:

(a) through (c) No change

*Rulemaking Authority 20.315, 944.09 FS. Law Implemented 944.09 FS. History—New 10-8-76, Formerly 33-7.06, Amended 1-4-87, 1-1-89, 1-18-89, 12-12-91, 4-14-92, 4-28-99, Formerly 33-7.006, Amended 8-28-01, 2-10-04, 9-21-05, 8-14-06,\_\_\_\_\_.*