

THE FLORIDA LEGISLATURE



May 6, 2009

The Honorable Jeff Atwater
President of the Senate

The Honorable Larry Cretul
Speaker, House of Representatives

Dear Mr. President and Mr. Speaker:

Your Conference Committee on the disagreeing votes of the two houses on CS/SB 1722, same being:

An act relating to the Department of Corrections

having met, and after full and free conference, do recommend to their respective houses as follows:

1. That the House of Representatives recede from its Amendment 1.
2. That the Senate and House of Representatives adopt the Conference Committee Amendment attached hereto, and by reference made a part of this report.

Managers on the part of the Senate

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Senator Thad Altman, At Large

Senator Carey Baker

Senator Larcenia J. Bullard

Senator Victor D. Crist

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Senator Anthony C. "Tony" Hill, Sr.

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Senator James E. "Jim" King, Jr.

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Senator Durell Peaden, Jr.

Senator Nan H. Rich

Senator Jeremy Ring

Senator Christopher L. "Chris" Smith

Senator Ronda Storms

Senator Frederica S. Wilson

Managers on the part of the House of Representatives

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Representative Kevin J. G. Rader

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Representative Elaine J. Schwartz

Representative William D. Snyder

Representative Kelli Stargel

Representative Dwayne L. Taylor

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Representative Perry E. Thurston, At Large

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Representative Alan B. Williams

Representative Juan C. Zapata

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Representative Ron Saunders, At Large

Representative Ron Schultz

Representative Kelly Skidmore, At Large

Representative Darren Soto

Representative Richard L. Steinberg

Representative Priscilla Taylor

Representative Nicholas R. Thompson

Representative John Tobia

Representative Charles E. Van Zant

Representative Michael B. Weinstein

Representative Trudi K. Williams

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The Conference Committee Amendment for CS/SB 1722, relating to the Department of Corrections, provides for the following:

- Requires the court to sentence certain non-violent, low-scoring offenders to a non-state prison sanction unless the court finds that such a sentence could endanger the public.
- Creates a state-funded diversion program operated by the Department of Corrections to allow the court to divert certain non-violent offenders from prison.
- Authorizes the State Board of Administration, Division of Bond Finance to negotiate the sale of correctional facility bonds for FY 2009-10.
- Authorizes the Department of Corrections to contract with county and municipal facilities in Florida and out-of-state public and private facilities. Exempts these contracts from applicability of chapter 957, Florida Statutes, relating to Department of Management Services' contracts with private prisons.
- Increases the inmate copayment for non-emergency health care from \$4 to \$5.
- Establishes timeframes for medical providers of inmate health services to submit requests for payment of medical claims. Establishes timeframes for the Department of Corrections to submit overpayment claims to medical service providers.
- Provides that if no contract for the provision of inmate medical services or emergency medical transportation services exists between the Department of Corrections or a private correctional facility and a health care provider, compensation for such services may not exceed 110 percent of the Medicare allowable rate. Provides exceptions for hospitals with negative operating margins.
- Requires all offenders who are subject to electronic monitoring to pay the department for the monitoring service. Provides that the department may exempt a person from paying all or a part of the costs of supervision in certain instances.
- Requires courts to use order of supervision forms provided by the department when placing an offender on community supervision.
- Permits the Department of Corrections to submit the required report of a youthful offender's performance in a basic training program to the court within 30 days prior to the scheduled completion of the program.
- Provides that a sentencing court must retain continuing jurisdiction over the convicted offender for the sole purpose of entering civil restitution lien orders until the later of the duration of the sentence, or up to 5 years after the offender is released from incarceration or supervision.
- Specifies that civil actions to recover costs of incarceration for the state, in a separate civil action or as counterclaim in any civil action, may be commenced any time during the offender's incarceration and up to five years after the date of the offender's release from incarceration or supervision, whichever occurs later.