

## Committee on Criminal Justice

### **CS/CS/HB 1337 — Department of Corrections**

by Judiciary Committee; Criminal Justice Subcommittee; and Reps. Stark, Jacques, and others (CS/SB 1278 by Appropriations Committee on Criminal and Civil Justice and Senator Martin)

The bill amends s. 944.31, F.S., to authorize the Office of the Inspector General law enforcement officers to conduct any criminal investigations involving matters over which the Department of Corrections (DOC) has jurisdiction at a contractor-operated correctional facility. Such law enforcement officers may arrest, with or without a warrant, any prisoner, visitor, or staff member, including a contract employee, subcontractor, or volunteer of any state correctional institution and private correctional facilities, for any violation of criminal laws of the state involving matters over which the DOC has jurisdiction.

The bill amends s. 957.04, F.S., to broaden methods of solicitation of contracts for the operation of contractor-operated correctional facilities to include competitive solicitation as provided in ch. 287, F.S. The bill specifies that contracts entered into under ch. 957, F.S., are not exempt from the requirements of ch. 287, F.S. However, if there is a conflict, the provisions of ch. 957, F.S., control.

Contracts entered into under this chapter for the operation of contractor-operated correctional facilities are not considered to be an “outsource” as defined in s. 287.012, F.S.

The bill makes additional changes relating to competitive solicitation by:

- Amending s. 957.07, F.S., to eliminate the Prison Per Diem Workgroup and allow for the DOC’s procurement process to include competitive solicitation.
- Amending s. 957.12, F.S., to clarify that a bidder or potential bidder may have written contact with the procurement office. Additionally, language is removed that permits contact in a noticed meeting.
- Removing language in multiple sections of law relating to *request for proposals* and replaces it with *competitive solicitation*.

Additionally, the bill amends s. 957.15, F.S., to remove language prohibiting the DOC from having authority over funds appropriated for the operation, maintenance, and lease purchase of contractor-operated correctional facilities.

The term *private* correctional facility is replaced with *contractor-operated* correctional facility throughout the Florida Statutes.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect July 1, 2024.

*Vote: Senate 39-0; House 110-0*