

October 21, 2011

NOTICE OF PROPOSED RULE

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.715

RULE TITLE: Visiting Application Initiation Process

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to incorporate forms into the rule that were previously located in Rule 33-601.737, F.A.C., and to clarify in Form DC6-111B what are appropriate items for visitors.

SUMMARY: The proposed rule incorporates forms that were previously located in Rule 33-601.737, F.A.C., and clarifies in Form DC6-111B what are appropriate items for visitors.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an adverse impact on small business and is not likely to directly or indirectly increase regulatory costs by more than \$200,000 within one year of taking effect. A SERC has not been prepared by the agency. Based on the fact that the rule is only being amended to incorporate forms in a different location and provide general clarification to visitors, the change will not have an impact on small business or the private sector and the rule therefore is not expected to require legislative ratification. 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 FS

LAW IMPLEMENTED: 20.315, 944.09, 944.23 FS

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

RULE IS: Kendra Lee Jowers, 501 South Calhoun Street, Tallahassee, Florida 32399-2500.

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.715 Visiting Application Initiation Process.

(1) No change.

(2) The inmate shall be given up to fifteen copies of Form DC6-111A, the Request for Visiting Privileges, ~~Form~~

~~DC6-111A~~, and Form DC6-111B, Visitor Information Summary, ~~Form DC6-111B~~, within 24 hours after arrival at his or her permanent facility. Forms DC6-111 A and DC6-111 B are hereby incorporated by ~~reference in Rule 33-601.737, F.A.C.~~ Copies of these forms are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of these forms is October 1, 2011. The inmate shall be responsible for sending the forms to each family member or friend twelve years of age or older, whom the inmate wishes to be placed in his or her approved visiting record. Minors eleven years of age and younger are not required to submit a ~~Request for Visiting Privileges~~, Form DC6-111B, until they reach 12 years of age.

(a) No change.

(b) The prospective visitor shall be required to complete a Form DC6-111 A, Request for Visiting Privileges, by filling in each line or inserting "NA" (not applicable) where appropriate.

(3) through (4) No change.

Rulemaking Specific Authority 944.09, ~~944.23~~ FS. Law Implemented 20.315, 944.09, 944.23 FS. History—New 11-18-01, Amended 5-27-02, 9-29-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Russell Hosford, Assistant Secretary of Institutions

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth S. Tucker, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: 10-7-11

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: 7-1-11