

CS/SB 1032 – Criminal Convictions

This bill amends s. 944.275, F.S., renaming basic gain-time to “good behavior time,” renaming incentive gain-time to “rehabilitation credits,” and renaming meritorious gain-time to “outstanding deed awards.” While good behavior gain-time remains at the 10 days a month that prisoners currently receive, education is added as another opportunity for rehabilitation credits to be earned, with 60 additional days for each of the following successfully completed (new language in bold): “a high school equivalency diploma, **a college degree**, a vocational certificate, **a drug treatment program, a life skills program, a reentry program, or other evidence-based program approved by the department that serves the purpose of reducing recidivism and assisting a prisoner reintegrate into society. For purposes of this paragraph, a ‘life skills program’ means a program, approved by the department, which consists of at least 60 hours designed to reduce recidivism by addressing, at a minimum, education, job skill, interpersonal skills, stress and anger management, and personal development. Additionally, the department shall grant 5 additional days of rehabilitation credits for successful completion of any other department-approved program, including prisoner-developed programs or a passing grade in each online or in-person educational course, as approved by the department. Rehabilitation credits under this paragraph are retroactive.**” Furthermore, the bill adds that “the department may grant up to 2 additional days per month of good behavior time to prisoners serving sentences for violations of s. 893.13, F.S. or s. 893.135, F.S. Good behavior time under this paragraph is retroactive.” Additionally, outstanding deed awards would increase the minimum number of deductions in days to 30, where it is currently between 1 and 60 days, and this would be “per outstanding deed performed.” Finally, this bill amends the language for those inmates receiving rehabilitation credits, decreasing the minimum total sentence served from the current 85% to 65%. Such language would not apply to good behavior and meritorious gain-time, which would continue to only reduce time served to 85%. This law would go into effect on July 1, 2021.

Per DOC, a partial impact statement was developed regarding the retroactive application of 2 additional days per month of good behavior time and how that would be expected to decrease the average daily population. These numbers would be subsumed under the handout reducing time served to 65%. **See “Retroactive Application of Good Behavior Time” Handout for a subset of the effect.**

Additionally, data was provided for reducing time served to 65% of the total sentence with the application of rehabilitation credits. However, this is likely an underestimate, given that it is not known how rehabilitation credits will be applied for certain parts of the expanded definition. The reduction in time served would apply to those offenders

admitted to prison after July 1, 2021. See “Changing Percent of Sentence that Must Be Served” Handout for a subset of the effect.

CONFERENCE ADOPTED ESTIMATE: Bed Impact equal to at least as many as the component parts, and likely higher.

Requested by: Senate

SB 1032

Retroactive Application of Good Behavior Time

July 1, 2021 Effective Date

The Criminal Justice Estimating Conference met on 3/24/2021 and estimated the following partial impact on the inmate population over the next five years:

a	b	c
Fiscal Year	Projected Cumulative Prison Beds Required	FUNDS REQUIRED
		Annual Operating Costs
2021-2022	-141	(\$577,656)
2022-2023	-294	(\$1,773,648)
2023-2024	-346	(\$2,603,520)
2024-2025	-337	(\$2,782,512)
2025-2026	-329	(\$2,709,288)
Total	-329	(\$10,446,624)

Prepared by Florida Legislature, Office of Economic and Demographic Research, March 11, 2021

FY 2019-20 full operating costs per inmate were obtained from DOC. The \$63.89 per diem (\$23,320 annual cost) is for all department facilities (excluding private institutions and approximately 150 beds in PRCs) and includes operations, health services, and education services. It does not include debt service costs. It also does not include indirect and administrative costs of \$4.00 per inmate (state facilities). Operating costs in future years were increased by the change in the CPI from the National Economic Estimating Conference.

FY 2019-20 dorm/work camp operating costs per inmate were obtained from DOC. The \$38.75 per diem (\$14,144 annual cost) includes costs such as health care, inmate personal care items, and officers assigned to dorms.

FY 2019-20 variable operating costs per inmate were obtained from DOC. The \$22.29 per diem (\$8,136 annual cost) includes costs such as health care and inmate personal care items.

FY 2006-07 capital costs per bed were based on Department of Corrections cost to build Suwanee CI (\$94,000,000 for 2,003 lawful capacity beds) as reported at the Criminal Justice Impact Conference held February 23, 2010. Capital costs in later years were increased by the change in the chained price index for state and local construction spending obtained from Global Insight, Inc.

Note: This impact statement is not intended to represent the direct appropriations impact of this bill. Rather, it provides a stand-alone estimate of the prison bed need of this particular bill. Cost data are included to allow a comparison of the impact of this bill with other proposed legislation. The actual appropriation associated with passage of this bill will differ depending on a number of factors including the existing inventory of prison beds.

SB 1032

Changing Percent of Sentence that Must Be Served

July 1, 2021 Effective Date

The Criminal Justice Estimating Conference met on 3/24/2021 and estimated the following partial impact on the inmate population over the next five years:

a	b	c
Fiscal Year	Projected Cumulative Prison Beds Required	FUNDS REQUIRED
		Annual Operating Costs
2021-2022	-1,486	(\$9,049,048)
2022-2023	-4,141	(\$53,747,204)
2023-2024	-6,084	(\$121,359,868)
2024-2025	-7,379	(\$163,441,552)
2025-2026	-8,244	(\$200,080,932)
Total	-8,244	(\$547,678,604)

Prepared by Florida Legislature, Office of Economic and Demographic Research, March 11, 2021

FY 2019-20 full operating costs per inmate were obtained from DOC. The \$63.89 per diem (\$23,320 annual cost) is for all department facilities (excluding private institutions and approximately 150 beds in PRCs) and includes operations, health services, and education services. It does not include debt service costs. It also does not include indirect and administrative costs of \$4.00 per inmate (state facilities). Operating costs in future years were increased by the change in the CPI from the National Economic Estimating Conference.

FY 2019-20 dorm/work camp operating costs per inmate were obtained from DOC. The \$38.75 per diem (\$14,144 annual cost) includes costs such as health care, inmate personal care items, and officers assigned to dorms.

FY 2019-20 variable operating costs per inmate were obtained from DOC. The \$22.29 per diem (\$8,136 annual cost) includes costs such as health care and inmate personal care items.

FY 2006-07 capital costs per bed were based on Department of Corrections cost to build Suwanee CI (\$94,000,000 for 2,003 lawful capacity beds) as reported at the Criminal Justice Impact Conference held February 23, 2010. Capital costs in later years were increased by the change in the chained price index for state and local construction spending obtained from Global Insight, Inc.

Note: This impact statement is not intended to represent the direct appropriations impact of this bill. Rather, it provides a stand-alone estimate of the prison bed need of this particular bill. Cost data are included to allow a comparison of the impact of this bill with other proposed legislation. The actual appropriation associated with passage of this bill will differ depending on a number of factors including the existing inventory of prison beds.