

June 12, 2023

## Notice of Development of Rulemaking

### **DEPARTMENT OF CORRECTIONS**

RULE NO.: RULE TITLE:

33-601.314 Rules of Prohibited Conduct and Penalties for Infractions

PURPOSE AND EFFECT: Rule amendment is necessary to increase penalties for assaultive infractions; clarify that sanctions should be commensurate with the severity of the conduct; create a new infraction for tampering with tablets; increase the penalty for inchoate infractions; increase the penalty for conspiracy; and clarify that the full authorized penalty for infractions of 1-6 and 4-1 may be imposed without regard to an inmate's prior disciplinary history.

SUBJECT AREA TO BE ADDRESSED: Rules of Prohibited Conduct and Penalties for Infractions

RULEMAKING AUTHORITY: 944.09, F.S.

LAW IMPLEMENTED: 20.315, 944.09, 944.115, 944.14, 944.279, 944.28, F.S

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 A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Office of the General Counsel, Attn: FDC Rule Correspondence, 501 South Calhoun Street, Tallahassee, Florida 32399, [FDCRuleCorrespondence@fdc.myflorida.com](mailto:FDCRuleCorrespondence@fdc.myflorida.com). A copy of the preliminary draft may also be obtained using the following link: <http://www.dc.state.fl.us/legal/ch33/notices/index.html>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE