

# CHAPTER 2000-214

## Committee Substitute for Committee Substitute for Senate Bill No. 2390

An act relating to elderly offenders; amending s. 944.02, F.S.; providing a definition of "elderly offender"; creating s. 944.804, F.S.; providing legislative findings; requiring the Department of Corrections to establish and operate a geriatric facility for elderly offenders at the current River Junction Correctional Institution site; requiring the department to develop rules specifying eligibility for the facility; requiring a study; creating s. 944.8041, F.S.; requiring annual review and reports by the Florida Corrections Commission and the Correctional Medical Authority on the status and treatment of elderly offenders; amending ss. 120.81, 413.051, 414.40, F.S.; correcting cross-references; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 4. Paragraphs (a) and (b) of subsection (3) of section 120.81, Florida Statutes, are amended to read:

120.81 Exceptions and special requirements; general areas.--

(3) PRISONERS AND PAROLEES.--

(a) Notwithstanding s. 120.52(12), prisoners, as defined by s. 944.02~~(5)~~, shall not be considered parties in any proceedings other than those under s. 120.54(3)(c) or (7), and may not seek judicial review under s. 120.68 of any other agency action.

Prisoners are not eligible to seek an administrative determination of an agency statement under s. 120.56(4). Parolees shall not be considered parties for purposes of agency action or judicial review when the proceedings relate to the rescission or revocation of parole.

(b) Notwithstanding s. 120.54(3)(c), prisoners, as defined by s. 944.02~~(5)~~, may be limited by the Department of Corrections to an opportunity to present evidence and argument on issues under consideration by submission of written statements concerning intended action on any department rule.