

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**
4 **By: Senator Bookout**

A Bill

ACT 106 OF 1995
SENATE BILL 38

For An Act To Be Entitled

"AN ACT PERTAINING TO THE PRIVATE SECTOR PRISON INDUSTRY
ENHANCEMENT PROGRAMS; AND FOR OTHER PURPOSES."

Subtitle

"PERTAINING TO THE PRIVATE SECTOR PRISON
INDUSTRY ENHANCEMENT PROGRAMS."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Subchapter 4 of Chapter 30 of Title 12 of the Arkansas Code is amended by inserting additional sections at the end thereof to read as follows:

"12-30-409. Private Sector Prison Industry Enhancement.

The Board of Correction and Community Punishment may contract with any private individual, corporation, partnership, or association whereby inmates would assemble, process, fabricate, or repair parts or components for goods or products being manufactured or produced by the private individual or entity. All contracts executed under this section must comply with federal law and must not result in any significant displacement of employed workers in the private sector.

12-30-410. Private Sector Prison Industry Enhancement Made Goods; Transportation and Sale.

Goods produced in whole or in part by Department of Correction inmates participating in private sector prison industry enhancement programs may be transported and sold in the same manner as goods produced by free persons provided that the inmates participating in the private sector prison industry enhancement programs are paid at least the minimum wage prescribed by state law. The minimum wage requirement does not apply to hobby and craft items produced by the inmates on their own time and with their own resources, nor to

1 inmates working in any other prison industries program.

2 12-30-411. Private Sector Prison Industry Enhancement Persons
3 Committed; Wages; Disposition; Director; Adopt Rules and Regulations.

4 A person committed to the department, who is earning at least minimum
5 wage and is employed pursuant to Sections 12-30-409 and 12-30-410 shall have
6 his or her wages set aside by the warden or supervisor of the facility in a
7 separate wage fund. The director shall promulgate regulations which will
8 protect the inmate_s rights to due process, provide for hearing as necessary
9 before the Crime Victim_s Reparations Board, and govern the disposition of a
10 confined person_s gross monthly wage minus required payroll deductions and
11 payment of necessary work-related incidental expenses for the following
12 purposes:

13 (1) For the support of families and dependent relatives of the
14 respective inmates;

15 (2) For the discharge of any legal obligations, including judgments
16 for restitution;

17 (3) To pay all or a part of the cost of their board, room, clothing,
18 medical, dental, and other correctional services;

19 (4) To provide for funds payable to the inmate upon his or her
20 release;

21 (5) For reimbursing the state for actual value of state property
22 intentionally or willfully and wantonly destroyed by the inmate during his or
23 her commitment;

24 (6) For reimbursing the state for reasonable costs incurred in
25 returning the inmate to the facility to which he or she is committed in the
26 event of escape; and

27 (7) For deposit of an appropriate amount in the Crime Victim_s
28 Reparations Revolving Fund."

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30 SECTION 2. All provisions of this act of a general and permanent nature
31 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
32 Revision Commission shall incorporate the same in the Code.

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34 SECTION 3. If any provision of this act or the application thereof to
35 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without
2 the invalid provision or application, and to this end the provisions of this
3 act are declared to be severable.

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5 SECTION 4. All laws and parts of laws in conflict with this act are
6 hereby repealed.

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9 APPROVED: 2-1-95

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