

IN THE SENATE

SENATE BILL NO. 1208

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO AGRICULTURAL LABOR; AMENDING SECTION 20-413A, IDAHO CODE, TO PROVIDE FOR THE USE OF INMATE LABOR IN THE PRODUCTION, HARVESTING AND PROCESSING OF AGRICULTURAL PRODUCTS, TO REVISE A CODE REFERENCE AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY.

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

SECTION 1. That Section 20-413A, Idaho Code, be, and the same is hereby amended to read as follows:

20-413A. CONTRACTS FOR AGRICULTURAL LABOR. (1) The board may contract with private agricultural employers as that term is defined in section 44-1601, Idaho Code, for the use of inmate labor in the production, harvesting and processing of ~~perishable~~ agricultural ~~feed~~ products as that term is defined in section ~~6-2002~~ 22-2602, Idaho Code. The use of inmate labor may not result in the displacement of employed workers within the local region in which the agricultural work is being performed.

(2) The board shall establish by rule factors to be considered by the board prior to entering into such contract including, but not limited to, ensuring that employed workers are not displaced, inmate safety and any security risks and needs. All moneys derived from such contracts shall be deposited into the correctional industries betterment account established in section 20-415, Idaho Code.

(3) Inmates shall be compensated for their services pursuant to section 20-412, Idaho Code. The board shall establish by rule factors to be considered in dispersing inmate earnings. Deductions shall be made for:

- (a) Reducing or offsetting costs of incarceration from the general fund;
- (b) Satisfying court-ordered restitution, fines and other legal judgments;
- (c) Providing resources for successful reentry by inmates; and
- (d) Other fees and deductions as deemed necessary by the board.

SECTION 2. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.