

IN THE SENATE

SENATE BILL NO. 1361

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO THE BOARD OF CORRECTION; AMENDING CHAPTER 2, TITLE 20, IDAHO
2 CODE, BY THE ADDITION OF A NEW SECTION 20-209H, IDAHO CODE, TO PROVIDE
3 ADDITIONAL POWERS AND DUTIES OF THE BOARD OF CORRECTION FOR PROVIDING
4 INMATE AGRICULTURAL LABOR TO PRIVATE EMPLOYERS AND TO PROVIDE TERMS AND
5 CONDITIONS.
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7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Chapter 2, Title 20, Idaho Code, be, and the same is
9 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
10 ignated as Section 20-209H, Idaho Code, and to read as follows:

11 20-209H. BOARD OF CORRECTION -- AGRICULTURAL LABOR. (1) The board may
12 contract with private agricultural employers as that term is defined in sec-
13 tion 44-1601, Idaho Code, for the use of inmate labor in the production, har-
14 vesting and processing of perishable agricultural food products as that term
15 is defined in section 6-2002, Idaho Code. The use of inmate labor may not
16 result in the displacement of employed workers within the local region in
17 which the agricultural work is being performed. Contracts entered into pur-
18 suant to this section shall provide that the inmate will be an employee of the
19 private agricultural employer and that the inmate shall be paid at least the
20 Idaho minimum wage.

21 (2) The board shall establish by rule factors to be considered by the
22 board prior to entering into such contract including, but not limited to, en-
23 suring that employed workers are not displaced, inmate safety and any secu-
24 rity risks and needs.

25 (3) The board shall establish by rule factors to be considered in dis-
26 persing inmate earnings. Deductions shall be made for:

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