

2018 Regular Session

HOUSE BILL NO. 809

BY REPRESENTATIVE JAMES

CORRECTIONS/PRISONERS: Provides relative to inmate compensation and deductions from wages

1 AN ACT

2 To amend and reenact R.S. 15:873(A), 1111(H)(1), 1199.9(G), and 1199.10(H) and to enact  
3 R.S. 15:711(I), relative to inmate compensation; to increase the rate of inmate  
4 compensation for inmates assigned to certain programs; to decrease the amount that  
5 may be deducted from the wages of an inmate participating in a work release  
6 program or a workforce development work release program to cover room, board,  
7 and other administrative and incidental costs; to provide for a maximum amount  
8 which may be deducted from the wages of an inmate participating in a work release  
9 program administered by a sheriff; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 15:873(A), 1111(H)(1), 1199.9(G), and 1199.10(H) are hereby  
12 amended and reenacted and R.S. 15:711(I) is hereby enacted to read as follows:

13 §711. Work release program

14 \* \* \*

15 I.(1) Deductions for room, board, and other administrative and incidental  
16 costs resulting from participation in a work release program authorized by this  
17 Section shall not exceed fifty percent of the gross wages received by the inmate. This  
18 deduction rate shall be established by the secretary of the Department of Public  
19 Safety and Corrections.

1                     (2) For the purposes of this Subsection, administrative and incidental costs  
 2                     are all costs other than room and board.

3                                       \*           \*           \*

4             §873. Rate of inmate compensation; source of funding

5                     A. The secretary of the Department of Public Safety and Corrections may  
 6             establish various rates of compensation as an incentive to inmates incarcerated in  
 7             state correctional facilities. The rates shall be according to the skill, industry, and  
 8             nature of the work performed by the inmate and shall be no more than one dollar and  
 9             twenty cents per hour, except that inmates who are assigned to Prison Enterprises'  
 10             industrial, agricultural, service, or other programs may be compensated at a rate up  
 11             to one dollar and forty cents per hour and inmates who are Certified Academic  
 12             Tutors and Certified Vocational Tutors may be compensated at a rate of up to ~~one~~  
 13             ~~dollar~~ two dollars per hour, in accordance with rules established by the secretary of  
 14             the department and adopted pursuant to the provisions of the Administrative  
 15             Procedure Act.

16                                       \*           \*           \*

17             §1111. Work release program

18                                       \*           \*           \*

19                     H.(1) Deductions for room, board, and other administrative and incidental  
 20             costs resulting from participation in a work release program authorized by this  
 21             Section shall not exceed ~~seventy~~ fifty percent of the gross wages received by the  
 22             inmate. This deduction rate shall be established by the secretary of the Department  
 23             of Public Safety and Corrections.

24                                       \*           \*           \*

25             §1199.9. Workforce development work release for participants and graduates of  
 26             program administered by the department

27                                       \*           \*           \*

28                     G. Deductions for room, board, and other administrative and incidental costs  
 29             resulting from participation in a workforce development work release program

1 authorized by this Section shall not exceed ~~seventy~~ fifty percent of the gross wages  
2 received by an inmate.

3 §1199.10. Workforce development work release for participants and graduates of  
4 the program administered by the sheriff

5 \* \* \*

6 H. Deductions for expenses listed in Subsection F of this Section resulting  
7 from participation in a workforce development work release program authorized by  
8 this Section shall not exceed ~~seventy-five~~ fifty percent of the wages received by an  
9 inmate.

---

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

---

HB 809 Original

2018 Regular Session

James

**Abstract:** Increases the rate of inmate compensation for inmates assigned to certain programs, and provides for a maximum amount that may be deducted to cover room, board, and other administrative and incidental costs of a work release program.

Present law authorizes the secretary of the Dept. of Public Safety and Corrections (DPS&C) to establish various rates of compensation as an incentive to inmates incarcerated in state correctional facilities. Further provides that the rates shall be according to the skill, industry, and nature of the work performed by the inmate and shall be no more than 20 cents per hour, except that inmates who are assigned to Prison Enterprises' industrial, agricultural, service, or other programs may be compensated at a rate up to 40 cents per hour and inmates who are Certified Academic Tutors and Certified Vocational Tutors may be compensated at a rate of up to \$1.00 per hour.

Proposed law amends present law to increase these rates of compensation by one dollar.

Present law authorizes the sheriff of each parish and DPS&C to establish and administer a work release program for inmates. Further provides that every inmate with work release privileges shall be liable for the cost of room, board, clothing and other necessary expenses incident to his employment or placement and provides for the disbursement of such wages for specific purposes.

With regard to work release programs administered by a sheriff, proposed law amends present law to add that deductions for room, board, and other administrative and incidental costs resulting from participation in a work release program shall not exceed 50% of the gross wages received by the inmate.

With regard to the work release program administered by the DPS&C, proposed law decreases, from 70% of the inmate's wages to 50% of the inmate's wages, the amount that can be deducted to cover room, board, and other administrative and incidental costs.

Present law requires DPS&C to administer the inmate rehabilitation and workforce development program for certain purposes including the purpose of providing inmates with employment skills, job training, and employment once they have completed the program. In addition, present law authorizes the sheriff of each parish to enter into a cooperative endeavor with DPS&C to administer a workforce development work release program for inmates sentenced to DPS&C who are confined in a jail or prison in the sheriff's jurisdiction.

Present law further provides that every inmate with workforce development work release privileges shall be liable for the cost of room, board, clothing, and other necessary expenses of his employment or placement unless other means of payment are approved by the department.

In this regard, proposed law provides as follows:

- (1) With regard to the program administered by DPS&C, proposed law decreases, from 70% of the inmate's wages to 50% of the inmate's wages, the amount that can be deducted to cover room, board, and other administrative and incidental costs.
- (2) With regard to a program administered by a sheriff, proposed law decreases, from 75% of the inmate's wages to 50% of the inmate's wages, the amount that can be deducted to cover room, board, and other administrative and incidental costs.

(Amends R.S. 15:873(A), 1111(H)(1), 1199.9(G), and 1199.10(H); Adds R.S. 15:711(I))