

IN THE SENATE

SENATE BILL NO. 1075

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1 RELATING TO CORRECTIONAL INDUSTRIES; AMENDING SECTION 20-412, IDAHO CODE,  
2 TO REVISE A PROVISION RELATING TO PRISONERS ENGAGED IN PRODUCTIVE WORK,  
3 TO PROVIDE THAT CERTAIN INMATES WHO ARE COMPENSATED SHALL NOT BE CONSID-  
4 ERED TO BE AN EMPLOYEE OF OR EMPLOYED BY CERTAIN EMPLOYERS AND TO PRO-  
5 VIDE THAT AN INMATE ENGAGED IN PRODUCTIVE WORK SHALL NOT BE ENTITLED TO  
6 WORKER'S COMPENSATION OR UNEMPLOYMENT BENEFITS.  
7

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

9 SECTION 1. That Section 20-412, Idaho Code, be, and the same is hereby  
10 amended to read as follows:

11 20-412. COMPENSATION -- AMOUNT -- CREDITING ACCOUNT OF PRISONER --  
12 CIVIL RIGHTS -- PRISONERS NOT EMPLOYEES. Each prisoner, who is engaged in  
13 productive work ~~in the institution under the jurisdiction of the board of~~  
14 ~~correction as a part of the correctional industries work program as autho-~~  
15 ~~rized by this chapter,~~ may receive for his work such compensation as the  
16 board shall determine, to be paid out of any funds available in the correc-  
17 tional industries betterment account. Such compensation, if any, shall be  
18 in accordance with a graduated schedule based on quantity and quality of  
19 work performed and skill required for its performance. Compensation shall  
20 be credited to the account of the prisoner, and paid from the correctional  
21 industries betterment account.

22 Nothing in this section or in this act is intended to restore, in whole  
23 or in part, the civil rights of any inmate. No inmate who is compensated  
24 under this act shall be considered to be an employee of or employed by the  
25 state or, the board of correction, nor shall any or any private agricultural  
26 employer that is a party to a contract for inmate labor pursuant to section  
27 20-413A, Idaho Code. No inmate come within any of the provisions of the  
28 workmen's engaged in productive work as authorized by this chapter shall  
29 be entitled to worker's compensation laws, or be entitled to any benefits  
30 thereunder or unemployment compensation under chapter 4 or chapter 13, title  
31 72, Idaho Code, whether on behalf of himself or any other person.