

1 H.294

2 Introduced by Representatives Headrick of Burlington, Carris-Duncan of

3 Whitingham, Chapin of East Montpelier, Logan of Burlington,

4 and McCann of Montpelier

5 Referred to Committee on

6 Date:

7 Subject: Public institutions and corrections; commissary; telecommunications;

8 State contracts; labor; employment practices; minimum wage

9 Statement of purpose of bill as introduced: This bill proposes to ensure that
10 incarcerated individuals are provided communications services at no expense.

11 This bill also proposes to require the Department of Corrections to evaluate its
12 contracts with Global Tel Link Corporation and the Keefe Group. This bill
13 also proposes to require that incarcerated individuals receive at least federal
14 minimum wage.

15 An act relating to commissary and telecommunications prices in State
16 correctional facilities and fair compensation for incarcerated labor

17 It is hereby enacted by the General Assembly of the State of Vermont:

18 Sec. 1. 28 V.S.A. § 802a is amended to read:

19 § 802a. TELEPHONE USE; ~~DEBIT AND COLLECT CALL SYSTEMS~~

20 OTHER COMMUNICATION SERVICES

1 (a) Upon admittance to a correctional facility, the inmate shall within 24
2 hours be allowed access to a telephone for outgoing telephone calls at ~~the~~ no
3 expense ~~of~~ to the inmate.

4 (b) An inmate shall be allowed easy access in placing ~~collect~~ telephone
5 calls at no expense upon admission to a correctional facility under reasonable
6 conditions determined by the Commissioner, unless the inmate has been
7 prohibited under provisions of section 853 of this title regarding punishment
8 for a breach of the rules and regulations of the correctional facility in which an
9 inmate is confined.

10 (c) When an inmate requests and receives a list of parties approved to
11 receive telephone calls, the inmate shall be provided ~~the option of using a debit~~
12 ~~or collect call~~ a system to place such calls at no expense to the inmate. ~~Under~~
13 ~~the debit system, the inmate shall pay for telephone service at the time of use,~~
14 ~~and the cost of such service will be automatically deducted from an account~~
15 ~~maintained by the inmate for that purpose.~~

16 (d) Any contract to provide telephone or other communication services to
17 inmates in State correctional facilities shall be negotiated and awarded in a
18 manner that provides for ~~the lowest reasonable~~ no cost to inmates, to their
19 families, and to others communicating with inmates.

20 (e) The Department may supplement telephone use with other
21 communication services, including video and electronic communication

1 services, provided that any other communication service shall be offered at no
2 expense to the inmate.

3 Sec. 2. 28 V.S.A. § 820 is added to read:

4 § 820. COMMISSARY

5 Any contract to provide commissary services to inmates in State
6 correctional facilities shall be negotiated and awarded in a manner that
7 provides that prices shall be set so as not to exceed by more than 10 percent the
8 fair market value for comparable products sold in the community where the
9 facility is located.

10 Sec. 3. DEPARTMENT OF CORRECTIONS; EVALUATION OF
11 CONTRACTS

12 On or before January 1, 2026, the Department of Corrections shall evaluate
13 its contracts with Global Tel Link Corporation and the Keefe Group and report
14 to the General Assembly on whether:

15 (1) each vendor offers its services or products to incarcerated
16 individuals at prices substantially higher than applicable to comparable
17 services or products offered in the community where the facility is located; and

18 (2) each vendor offers its services or products to incarcerated
19 individuals at prices substantially higher than offered by competing vendors.

20 Sec. 4. 28 V.S.A. § 751b is amended to read:

21 § 751b. GENERAL PROVISIONS GOVERNING OFFENDER WORK

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(b) An offender shall not be required to engage in unreasonable labor or to perform any work for which ~~he or she~~ the offender is declared unfit by a physician employed or retained by the Department.

(c)(1) The Commissioner shall establish written guidelines governing the hours and conditions of offender work, and the rates of compensation of offenders for employment. An offender shall be compensated at a rate that is equal to or greater than the federal minimum wage unless a different wage is required for the offender's position pursuant to federal law.

(2) Wage payments of offenders shall be set aside in a separate fund.

(3) The guidelines of the Department may provide for the making of deductions from wages of offenders to defray part or all of the cost of offender maintenance or payments to victims of crime. The guidelines may also provide for the setting aside by the Department of a portion of an offender's wages to enable the offender to contribute to the support of ~~his or her~~ the offender's dependents, if any; to make necessary purchases from a commissary; to purchase approved books, instruments, and instruction not supplied by a correctional facility; and to set aside sums to be paid to the offender upon release from the custody or supervision of the Commissioner.

1 (4) Any interest that accrues from these wages during the period of such
2 custody of an offender shall be credited to any fund maintained by the
3 correctional facility for the welfare of offenders.

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5 Sec. 5. DEPARTMENT OF CORRECTIONS WAGE POLICIES; UPDATE

6 On or before January 1, 2026, the Commissioner of Corrections shall update
7 all Department of Corrections policies relating to inmate wages to comply with
8 the requirements of 28 V.S.A. § 751b.

9 Sec. 6. EFFECTIVE DATE

10 This act shall take effect on July 1, 2025.