



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4505

by Rep. Tim Butler

SYNOPSIS AS INTRODUCED:

730 ILCS 5/3-12-17 new

Amends the Unified Code of Corrections. Provides that the Department of Corrections, through its Illinois Correctional Industries division, may operate or contract with the private sector for substantial involvement in a correctional industries enhancement program. Sets forth requirements and rules for the correctional industries enhancement program. Provides that the Department may take limited deductions from wages of a committed person worker who participates in the correctional industries enhancement program.

LRB100 16731 RLC 31870 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Unified Code of Corrections is amended by
5 adding Section 3-12-17 as follows:

6 (730 ILCS 5/3-12-17 new)

7 Sec. 3-12-17. Correctional industries enhancement program.

8 (a) The Department, through its Illinois Correctional
9 Industries division, may operate or contract with the private
10 sector for substantial involvement in a correctional
11 industries enhancement program that includes, but is not
12 limited to, contracts for the operation of a direct private
13 sector business within a correctional institution and the
14 hiring of committed persons.

15 (b) The purposes and objectives of this program are to:

16 (1) increase the benefits to the general public by
17 reimbursing the State for a portion of the costs of
18 incarceration;

19 (2) provide purposeful work for committed persons;

20 (3) increase job skills of committed persons;

21 (4) provide additional opportunities for
22 rehabilitating committed persons who are otherwise
23 ineligible to work outside correctional institutions, such

1 as committed persons incarcerated in maximum security
2 facilities;

3 (5) develop and establish new models for
4 correctional-based businesses that create jobs
5 approximating conditions of private sector employment;

6 (6) substantially involve the private sector and its
7 capital, management skills, and expertise in the design,
8 development, and operation of correctional-based
9 businesses;

10 (7) provide the financial basis for a committed person
11 to contribute to the support of his or her family;

12 (8) provide for the payment of State and federal taxes
13 on a committed person's wages, which are paid at the rate
14 of the prevailing or minimum wage rate; and

15 (9) provide savings for the committed person to have
16 available for his or her use upon the committed person's
17 eventual release from the correctional institution;

18 (c) Any contract authorized under a correctional
19 industries enhancement program must be in compliance with
20 federal law governing committed person work programs.

21 (d) Any contract authorized under a correctional
22 industries enhancement program shall not result in the
23 significant displacement of employed workers in the community.

24 (e) The Department may take deductions from committed
25 person worker wages, but permissible deductions are limited to
26 taxes, room and board, family support, and victim compensation.

1 If victim compensation deductions are taken, the Department
2 must provide written assurances that the deductions will be not
3 less than 5% and not more than 20% of gross wages and that
4 deductions for all purposes will not total more than 80% of
5 gross wages.

6 (f) Written proof of compliance with the National
7 Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is
8 required prior to program startup.

9 (g) Organized labor and local private industry must be
10 consulted prior to any business startup.

11 (h) Committed person workers must receive wages at a rate
12 not less than that paid for work of a similar nature in the
13 locality in which the work is performed.

14 (i) Committed person worker participation must be
15 voluntary.

16 (j) Notwithstanding any other law to the contrary, private
17 sector employers shall provide workers' compensation coverage
18 to committed persons who participate in a correctional
19 industries enhancement program under this Section.