



Rep. Thomas M. Bennett

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10000HB4199ham001

LRB100 15653 RLC 37451 a

1 AMENDMENT TO HOUSE BILL 4199

2 AMENDMENT NO. _____. Amend House Bill 4199 by replacing
3 everything after the enacting clause with the following:

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

1 reimbursing the State for a portion of the costs of
2 incarceration;

3 (2) provide purposeful work for committed persons;

4 (3) increase job skills of committed persons;

5 (4) provide additional opportunities for
6 rehabilitating committed persons who are otherwise
7 ineligible to work outside correctional institutions, such
8 as committed persons incarcerated in maximum security
9 facilities;

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

13 (6) substantially involve the private sector and its
14 capital, management skills, and expertise in the design,
15 development, and operation of correctional-based
16 businesses;

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

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

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

25 (c) Any contract authorized under a correctional
26 industries enhancement program must be in compliance with

1 federal law governing committed person work programs.

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

5 (e) The Department may take deductions from committed
6 person worker wages, but permissible deductions are limited to
7 taxes, room and board, family support, and victim compensation.
8 If victim compensation deductions are taken, the Department
9 must provide written assurances that the deductions will be not
10 less than 5% and not more than 20% of gross wages and that
11 deductions for all purposes will not total more than 80% of
12 gross wages.

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

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

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

21 (i) Committed person worker participation must be
22 voluntary.

23 (j) Notwithstanding any other law to the contrary, private
24 sector employers shall provide workers' compensation coverage
25 to committed persons who participate in a correctional
26 industries enhancement program under this Section."