

FINAL BILL REPORT

SHB 1929

C 154 L 95

Synopsis as Enacted

Brief Description: Concerning the employment of inmates.

Sponsors: House Committee on Corrections (originally sponsored by Representatives Brumsickle and Morris).

House Committee on Corrections

Senate Committee on Human Services & Corrections

Background: In 1993, the Legislature authorized the establishment of a jail industries board. The jail industries board is required to provide uniform assistance to local jails statewide in the development and implementation of safe and productive jail work programs. In addition to providing advice and guidelines, the board is also mandated to ensure that local businesses and labor are not negatively impacted by jail industries. The legislation established two models of jail industry programs: the free venture employer model, and the free venture customer model. Inmates working in free venture work programs are eligible for industrial insurance benefits.

Summary: A new classification of jail industry programs is established. The new classification, tax reduction industries, is defined as those industries owned and operated by local jurisdictions to provide work training and employment in order to reduce public support costs. The goods and services of these industries are allowed to be sold to public agencies, nonprofit organizations, and private organizations when the goods purchased will ultimately be used by a public agency or nonprofit organization. Surplus goods may be donated to government and nonprofit organizations.

Responsibility for providing industrial insurance under each of the three jail inmate employment models is clarified. In the free venture employer model industries, the private sector business or industry, or nonprofit organization is responsible. In free venture customer model industries, any organization that is party to the agreement is responsible, pursuant to that agreement. In tax reduction industries, local jurisdictions, including self-insured jurisdictions, may elect to provide industrial insurance through the state fund, or the self-insured jurisdictions may elect to provide only medical benefits through the state fund.

City or county responsibilities for industrial insurance are defined in the event of a failure of the private sector or nonprofit entity engaged in free venture industries agreement. Free venture jail industries agreements must be filed under a separate and

individual master business application and a separate account with the Department of Labor and Industries.

The role and responsibility of the advisory board is also clarified. The board is required to provide training assistance to local jurisdictions upon request from that jurisdiction. Members serving on the board, and their employer(s) are protected from civil action based upon an act performed in good faith.

Other technical and housekeeping changes are made.

Votes on Final Passage:

House	98	0
Senate	46	0

Effective: July 23, 1995