

# HOUSE BILL REPORT

## HB 1929

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**As Reported By House Committee On:**  
Corrections

**Title:** An act relating to jail industries.

**Brief Description:** Concerning the employment of inmates.

**Sponsors:** Representatives Brumsickle and Morris.

**Brief History:**

**Committee Activity:**

Corrections: 2/28/95, 3/1/95 [DPS].

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### HOUSE COMMITTEE ON CORRECTIONS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Ballasiotes, Chairman; Blanton, Vice Chairman; Sherstad, Vice Chairman; Quall, Ranking Minority Member; Tokuda, Assistant Ranking Minority Member; Cole; Dickerson; Koster; Radcliff; K. Schmidt and Schoesler.

**Staff:** Antonio Sanchez (786-7383).

**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 or labor are not negatively impacted by jail industries. The original legislation established two models of jail industry programs, one is the free venture employer model and the other is the free venture customer model. Inmates working in free venture work programs are eligible for industrial insurance benefits.

**Summary of Substitute Bill:** A new classification of jail industry is added called tax reduction industry. Tax reduction industries are 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.

Clarification is provided as to who is responsible for providing industrial insurance under each of the three jail inmate employment models. 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 may elect to provide insurance through the state fund or through self-insurance.

City or county responsibilities are defined in the event of a failure of the private sector or nonprofit entity in any free venture industries agreement. Any free venture jail industries agreements are required to be filed under a separate and individual master business application and a separate account with the Department of Labor and Industries.

Clarification is also provided as to the role and responsibility of the advisory board. 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.

**Substitute Bill Compared to Original Bill:** Further clarification is made as to how the three jail industries programs must pay for industrial insurance coverage. Government entities are allowed to receive surplus goods through donation from jail industries. Any free venture jail industry agreement is required to be filed under a separate and individual master business application and a separate account with the Department of Labor and Industries. Additional direction is given to the board requiring the board to provide training assistance to local jurisdiction if requested. Members of the board are given protection from civil suits based on an act performed in good faith.

**Appropriation:** None.

**Fiscal Note:** Requested on February 21, 1995.

**Effective Date of Substitute Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This measure is needed to keep local jails involved and interested in jail industries. The technical assistance provided to jails through this measure will lower local government costs and enhance inmate employment.

**Testimony Against:** None.

**Testified:** Jane Johnson, Jail Industries Board (pro); Donna Karvia, State Association of County Clerks (pro); and Ken Bensimon, KMB Design-Development (pro).