

FINAL BILL REPORT

HB 1345

C 177 L 23

Synopsis as Enacted

Brief Description: Concerning the contribution to costs of privileges by incarcerated individuals.

Sponsors: Representatives Farivar, Senn, Simmons, Bateman, Lekanoff, Pollet, Fosse and Davis; by request of Department of Corrections.

House Committee on Community Safety, Justice, & Reentry
Senate Committee on Human Services

Background:

Department of Corrections Privileges.

Persons incarcerated in Department of Corrections (DOC) facilities must contribute to the cost of privileges. Privileges include any goods or services, education or work programs, or earned early release days, which are directly linked to an incarcerated person's good conduct and performance and do not include any goods or services the DOC is required to provide under the state or federal Constitution or state or federal law.

The DOC is required to establish standards by which incarcerated persons contribute a portion of the DOC's capital costs of providing privileges, including television cable access, extended family visitation, weight-lifting, and other recreational sports equipment and supplies. The DOC's standards must also require incarcerated individuals to contribute a significant portion of its operating costs directly associated with providing privileges, including staff and supplies.

Incarcerated persons' contributions to privileges may be in the form of individual user fees assessed against their institution account, deductions from their gross wages or gratuities, or their collective contributions to the institutional welfare/betterment fund. The DOC must make every effort to maximize contributions to payment for privileges.

Extended Family Visitation.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

The DOC is required to maintain a policy on the privilege of extended family visitation. Extended family visits are an authorized visit between incarcerated persons and members of their immediate family in a private visiting location at a DOC correctional facility. The stated intent of the DOC extended family visitation policy is to support the building of sustainable relationships important to reentry and provide incentive to those serving longer sentences to engage in positive behavioral choices. Extended family visits may last no less than 20 hours and no more than 48 hours.

Summary:

Costs of Privileges.

Extended family visitation is removed from the list of the DOC's capital costs of providing privileges for which incarcerated individuals must contribute.

The DOC may require incarcerated individuals to contribute to the cost of specific privileges designated by the DOC in accordance with standards it must develop and adopt, to ensure that incarcerated individuals contribute a portion of the DOC's costs directly associated with providing designated privileges.

Incarcerated individuals are required to contribute a portion of the DOC's operating costs directly associated with providing privileges, including staff and supplies, rather than contribute a significant portion.

Votes on Final Passage:

House	64	32	
Senate	37	10	(Senate amended)
House	66	30	(House concurred)

Effective: July 23, 2023