

House Bill 313

By: Representative Barnard of the 166th

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 6 of Chapter 5 of Title 42 of the Official Code of Georgia Annotated,
2 relating to voluntary inmate labor programs, so as to clarify that the Georgia Correctional
3 Industries Administration has authority to administer and manage certain inmate work
4 programs and to publicize and invite employers to participate in such inmate work programs;
5 to amend Code Section 42-10-4 of the Official Code of Georgia Annotated, relating to the
6 powers of the Georgia Correctional Industries Administration, so as to clarify that the
7 administration has authority to administer, manage, and publicize certain inmate work
8 programs; to provide for related matters; to provide an effective date; to repeal conflicting
9 laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 6 of Chapter 5 of Title 42 of the Official Code of Georgia Annotated, relating to
13 voluntary inmate labor programs, is amended by revising subsection (a) of Code Section
14 42-5-120, relating to rules and regulations of the Board of Corrections, as follows:

15 "(a) The board is authorized to issue and promulgate rules and regulations for programs
16 of voluntary labor by inmates for privately owned profit-making employers to produce
17 goods, services, or goods and services for sale to public and private purchasers. Such rules
18 and regulations shall be designed to meet the published requirements of the Prison Industry
19 Enhancement Certification Program authorized by 18 U.S.C. Section 1761 and federal
20 regulations and to provide other appropriate conditions and limitations. Such rules and
21 regulations may provide for administration and management of such work programs by the
22 department and the Georgia Correctional Industries Administration."

23 **SECTION 2.**

24 Said article is further amended by revising Code Section 42-5-124, relating to publicizing
25 and inviting participation in voluntary inmate labor programs, as follows:

1 "42-5-124.
2 Following the issuance and promulgation of rules and regulations, the department ~~is~~ and
3 the Georgia Correctional Industries Administration are authorized to publicize the program
4 and invite employers to participate. The department shall rely upon the Georgia
5 Department of Labor for determining whether inmates would be displacing other workers,
6 whether labor shortages exist, and the prevailing local wage for work to be done by
7 inmates. The Georgia Department of Labor is authorized to provide such determinations
8 to the department."

9 **SECTION 3.**

10 Code Section 42-10-4 of the Official Code of Georgia Annotated, relating to the powers of
11 the Georgia Correctional Industries Administration, is amended by replacing "; and" with ";"
12 at the end of paragraph (11), by replacing "." with ";" and" at the end of paragraph (12), and
13 by adding a new paragraph as follows:

14 "(13) As provided for in Article 6 of Chapter 5 of Title 42 and as directed by the rules
15 and regulations promulgated by the board, to administer and manage volunteer inmate
16 work programs and to publicize and invite employers to participate in such programs."

17 **SECTION 4.**

18 This Act shall become effective upon its approval by the Governor or upon its becoming law
19 without such approval.

20 **SECTION 5.**

21 All laws and parts of laws in conflict with this Act are repealed.