

House Bill 1045

By: Representatives Forster of the 3rd, Mitchell of the 88th, Day of the 163rd, Neal of the 1st,
and Martin of the 47th

A BILL TO BE ENTITLED
AN ACT

1 To amend Title 42 of the Official Code of Georgia Annotated, relating to penal institutions,
2 so as to create the "Life to Life" program; to provide for a short title; to provide for
3 legislative findings; to provide for the establishment of a program by the Department of
4 Corrections, the State Board of Pardons and Paroles, and private industry for the employment
5 of qualifying inmates in work areas outside of the United States and its territories; to provide
6 for the requirements of such program; to provide for the qualifications for inmates to
7 participate in such program; to provide that successful completion of such program shall
8 result in the parole of the inmate or the commutation of such inmate's sentence; to provide
9 for sanctions for failure to complete such program; to provide for related matters; to repeal
10 conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

12 style="text-align:center">**SECTION 1.**

13 Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended
14 by adding a new chapter to read as follows:

15 style="text-align:center">"CHAPTER 14

16 42-14-1.

17 This chapter shall be known as and may be cited as the 'Life to Life Program.'

18 42-14-2.

19 The General Assembly finds that the Department of Corrections serves to fulfill the
20 purposes of restitution, rehabilitation, and restoration with regard to the inmates assigned
21 to its custody. Over the years, in the United States, inmates have been used to assist in
22 cases of natural disasters, allowed to serve in the military, and utilized for other worthwhile
23 civic projects. The inmates serving in these programs paid their debt to society through

1 their service, were rehabilitated through developing marketable skills, and were restored
2 to society by having shown their good works and service. The General Assembly finds that
3 such a program would be useful today to allow offenders to provide restitution to society,
4 be rehabilitated, and be restored to society.

5 42-14-3.

6 (a) The Department of Corrections and the State Board of Pardons and Paroles shall
7 establish a program for service for qualifying inmates. Such program shall be voluntary
8 for such inmates.

9 (b) The Department of Corrections and the State Board of Pardons and Paroles shall
10 negotiate and enter into contracts with companies based in the United States that perform
11 substantial work outside the United States; that are willing to utilize inmate labor; and that
12 are willing to agree to the conditions of the program.

13 (c) A company agreeing to participate in the program shall:

14 (1) Employ the inmates accepted by the company under the provisions of the program
15 contract with the Department of Corrections and the State Board of Pardons and Paroles
16 at work sites outside of the United States and its territories;

17 (2) Monitor the activities and performance of such inmates in accordance with such
18 terms and conditions as specified by the Department of Corrections and the State Board
19 of Pardons and Paroles;

20 (3) Provide the inmates with a salary as agreed by the company and the Department of
21 Corrections and the State Board of Pardons and Paroles, provide a per diem for such
22 inmate while residing outside of the United States and its territories in an amount as
23 agreed by the company and the Department of Corrections and the State Board of
24 Pardons and Paroles which shall be sufficient to provide the inmates housing and meals
25 while performing work for the company, provide the inmates with the necessary training
26 to perform the tasks at the work site which training shall be provided outside of the
27 United States and its territories, and provide transportation for the inmates to and from
28 the work sites outside of the United States and its territories; and

29 (4) Perform such other tasks and responsibilities as may be required in such contract with
30 the Department of Corrections and the State Board of Pardons and Paroles.

31 (d) Qualifying inmates shall be those inmates who:

32 (1) Have been sentenced to terms of imprisonment in the custody of the Department of
33 Corrections of not less than eight nor more than 15 years;

34 (2) Have served at least three years of such sentence without any disciplinary reports;

35 (3) Have a high school diploma or a general educational development diploma;

36 (4) Volunteer to participate in the program;

1 (5) Agree to a minimum of term of service in the program as specified by the
 2 Department of Corrections and the State Board of Pardons and Paroles taking into
 3 account the nature of the work to be performed in the program, the length of the inmate's
 4 sentence, and the nature of the crime committed by the inmate, but in no event shall the
 5 period of service be less than three years;

6 (6) Agree to random drug screening by the company;

7 (7) Agree to the wages and conditions of the program;

8 (8) Agree to the suspension of their sentence of incarceration while in the program; and

9 (9) Agree to comply with all terms and conditions of the program.

10 (e) Wages paid to an inmate by a participating company shall be divided as follows:

11 (1) Twenty-five percent shall be remitted to the state treasury and it is the intent of the
 12 General Assembly that an amount equal to the funds received pursuant to this paragraph
 13 in the preceding fiscal year be appropriated to the Department of Corrections in the next
 14 fiscal year's budget;

15 (2) Fifteen percent shall be remitted to the state treasury to offset the expense of
 16 operating the program;

17 (3) Forty percent shall be paid into an interest bearing savings account for each inmate
 18 which shall be held for the benefit of such inmate until the inmate completes the program
 19 at which time it shall be paid over to such inmate; and

20 (4) Twenty percent shall be paid directly to such inmate.

21 42-14-4.

22 (a) Inmates who successfully complete the program shall be granted paroles or shall have
 23 their sentences commuted by the State Board of Pardons and Paroles in its discretion.

24 (b) Any inmate participating in the program who:

25 (1) Tests positive for illegal drugs on a random drug screening;

26 (2) Commits a crime; or

27 (3) Intentionally fails or refuses to comply with any of the terms or conditions of the
 28 program

29 shall be returned to the custody of the Department of Corrections and shall serve out the
 30 full term to which such inmate was sentenced without credit for any time spent in the
 31 program toward the completion of such sentence and shall not thereafter be eligible for
 32 participation in such program."

33 SECTION 2.

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