

House Bill 198

In The House

January 14, 1981

Introduced and referred  
to Committee on Education.

February 19, 1981

Committee recommend bill  
do not pass.

1 HOUSE BILL NO. 198  
2 INTRODUCED BY Frank Sauter

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROHIBIT THE USE OF  
5 PUBLIC FUNDS TO PAY FOR EDUCATION OF PRISONERS; AMENDING  
6 SECTION 46-23-415, MCA."

7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 46-23-415, MCA, is amended to read:  
10 "46-23-415. Disposition of prisoner's earnings --  
11 payment of expenses. (1) A prisoner employed in the  
12 community under a work furlough plan shall enter into a  
13 written financial agreement with the supervising agency and  
14 the department concerning the acquisition and disposition of  
15 his earnings. This financial agreement shall provide for the  
16 payment of:

17 (a) a standard charge for providing food, lodging, and  
18 clothing for the prisoner if incurred and if applicable;

19 (b) the actual and necessary travel and other expenses  
20 of the prisoner under furlough from actual confinement under  
21 the program;

22 (c) an amount to pay for the support of his  
23 dependents, which amount shall be paid to the dependents;  
24 and

25 (d) an allowance for personal items and other expenses

1 or disbursements agreed upon by the prisoner and the  
2 supervising agency.

3 (2) Unless the financial agreement specifically  
4 provides for other disbursement of the money, any balance  
5 remaining after deductions and payments shall be deposited  
6 to an interest-bearing account held in trust for the  
7 prisoner and shall be paid to him upon release.

8 (3) If no other sources of support are available, the  
9 costs of a prisoner under furlough who is in training or  
10 school shall be the responsibility of the state. However, in  
11 accordance with [section 2], no public funds may be used to  
12 pay educational costs of prisoners, parolees, or  
13 probationers."

14 NEW SECTION. Section 2. Public funds not to be used  
15 for educational costs of certain persons. No public funds  
16 may be used to pay the educational costs of any prisoner,  
17 parolee, or probationer attending any unit of the state  
18 university system as a student customarily paid for by a  
19 student attending any such unit.

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