

SENATE BILL NO. 193

INTRODUCED BY WATERMAN
BY REQUEST OF THE DEPARTMENT OF
CORRECTIONS AND HUMAN SERVICES

IN THE SENATE

JANUARY 19, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
FEBRUARY 4, 1993	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 5, 1993	PRINTING REPORT.
FEBRUARY 6, 1993	SECOND READING, DO PASS.
FEBRUARY 8, 1993	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 50; NOES, 0.
	TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 9, 1993	INTRODUCED AND REFERRED TO COMMITTEE ON JUDICIARY.
	FIRST READING.
MARCH 6, 1993	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 9, 1993	ON MOTION, CONSIDERATION PASSED FOR THE DAY.
MARCH 11, 1993	SECOND READING, CONCURRED IN.
MARCH 15, 1993	THIRD READING, CONCURRED IN. AYES, 88; NOES, 10.
MARCH 16, 1993	RETURNED TO SENATE.

IN THE SENATE

MARCH 17, 1993	RECEIVED FROM HOUSE.
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SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 Senate BILL NO. 193
 2 INTRODUCED BY Nina Waters
 3 BY REQUEST OF THE DEPARTMENT OF
 4 CORRECTIONS AND HUMAN SERVICES

5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING OFFENDER
 7 FINANCIAL OBLIGATIONS WHEN AN OFFENDER IS PLACED IN A
 8 COMMUNITY-BASED CORRECTIONS FACILITY; AND AMENDING SECTION
 9 53-30-323, MCA."

10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 **Section 1.** Section 53-30-323, MCA, is amended to read:

13 "53-30-323. Offender payments. (1) An offender placed
 14 in a community corrections facility or program under this
 15 part shall execute a written contract or agreement with the
 16 director of the facility or program, setting forth the terms
 17 and conditions for placement in the facility or program. The
 18 contract or agreement ~~may~~ must provide that a portion of any
 19 money received from employment of the offender be set aside
 20 for ~~payment--of--the--following--expenses--in--order--of--the~~
 21 ~~priority--in--which--they--appear--below:~~ reimbursement to the
 22 community corrections facility.

23 ~~{a}--reimbursement~~ Reimbursement to the community
 24 corrections facility or program for ~~a-portion-of~~ the cost of
 25 the room and, board ~~provided-at-the-facility-or-program, and~~

1 services is to be paid at a rate established under 53-1-501.
 2 The-reimbursement-rate-must-be-reasonable,--based--on--the
 3 offender's---employment---status---and---other---financial
 4 obligations;--However,--the-charges-for-room-and-board-may-not
 5 exceed-20%--of--the--offender's-net-employment-income;

6 {b}--victim-restitution-ordered-by-the-sentencing-court,
 7 which-may-not-exceed-20%--of--the--offender's--net--employment
 8 income;

9 {c}--deposits-to-a-savings-account-or-fund-to-be-used-by
 10 the--offender--for--general--living--expenses--following-his
 11 release-from-the-community-corrections-facility-or--program;
 12 and

13 {d}--payment-of-family-support;

14 (2) In a community corrections facility or program, the
 15 offender has the primary obligation to obtain employment,
 16 but the department of labor and industry shall provide
 17 assistance to the offender in obtaining suitable
 18 employment."

-End-

APPROVED BY COMMITTEE
ON JUDICIARY

1 Senate BILL NO. 193
2 INTRODUCED BY Margaret Watman
3 BY REQUEST OF THE DEPARTMENT OF
4 CORRECTIONS AND HUMAN SERVICES
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9 53-30-323, MCA."
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17 part shall execute a written contract or agreement with the
18 director of the facility or program, setting forth the terms
19 and conditions for placement in the facility or program. The
20 contract or agreement may must provide that a portion of any
21 money received from employment of the offender be set aside
22 for payment--of--the--following--expenses--in--order--of--the
23 priority-in-which-they-appear-below: reimbursement to the
24 community corrections facility.
25 {a}--reimbursement Reimbursement to the community
corrections facility or program for a-portion-of the cost of
the room and, board provided-at-the-facility-or-program, and

1 services is to be paid at a rate established under 53-1-501.
2 The-reimbursement-rate-must--be--reasonable,--based--on--the
3 offender's---employment---status---and---other---financial
4 obligations;--However,--the--charges--for--room--and--board--may--not
5 exceed-20%--of--the--offender's--net--employment--income;
6 {b}--victim-restitution-ordered-by-the-sentencing-court,
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8 income;
9 {c}--deposits-to-a-savings-account-or-fund-to-be-used-by
10 the--offender--for--general--living--expenses--following-his
11 release-from-the-community-corrections-facility-or--program;
12 and
13 {d}--payment-of-family-support;
14 (2) In a community corrections facility or program, the
15 offender has the primary obligation to obtain employment,
16 but the department of labor and industry shall provide
17 assistance to the offender in obtaining suitable
18 employment."

-End-

1 Senate BILL NO. 193
 2 INTRODUCED BY James Watson
 3 BY REQUEST OF THE DEPARTMENT OF
 4 CORRECTIONS AND HUMAN SERVICES

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 6 A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING OFFENDER
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 18 contract or agreement may must provide that a portion of any
 19 money received from employment of the offender be set aside
 20 for payment--of--the--following--expenses--in--order--of--the
 21 priority-in-which-they-appear-below: reimbursement to the
 22 community corrections facility.

23 (a)--reimbursement Reimbursement to the community
 24 corrections facility or program for a-portion-of the cost of
 25 the room and board provided-at-the-facility-or-program, and

1 services is to be paid at a rate established under 53-1-501.
 2 The-reimbursement-rate-must--be--reasonable--based--on--the
 3 offender's---employment---status---and---other---financial
 4 obligations. However, the charges for room and board may not
 5 exceed-20% of the offender's net employment income.

6 (b)--victim-restitution-ordered-by-the-sentencing-court,
 7 which-may-not-exceed-20% of the--offender's--net--employment
 8 income;

9 (c)--deposits-to-a-savings-account-or-fund-to-be-used-by
 10 the--offender--for--general--living--expenses--following-his
 11 release-from-the-community-corrections-facility-or--program,
 12 and

13 (d)--payment-of-family-support.

14 (2) In a community corrections facility or program, the
 15 offender has the primary obligation to obtain employment,
 16 but the department of labor and industry shall provide
 17 assistance to the offender in obtaining suitable
 18 employment."

-End-

SENATE BILL NO. 193

INTRODUCED BY WATERMAN

BY REQUEST OF THE DEPARTMENT OF

CORRECTIONS AND HUMAN SERVICES

A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING OFFENDER FINANCIAL OBLIGATIONS WHEN AN OFFENDER IS PLACED IN A COMMUNITY-BASED CORRECTIONS FACILITY; AND AMENDING SECTION 53-30-323, MCA."

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

Section 1. Section 53-30-323, MCA, is amended to read:

"53-30-323. Offender payments. (1) An offender placed in a community corrections facility or program under this part shall execute a written contract or agreement with the director of the facility or program, setting forth the terms and conditions for placement in the facility or program. The contract or agreement may must provide that a portion of any money received from employment of the offender be set aside for payment--of--the--following--expenses--in--order--of--the--priority--in--which--they--appear--below: reimbursement to the community corrections facility.

(a)--reimbursement Reimbursement to the community corrections facility or program for a-portion-of the cost of the room and, board provided-at-the-facility-or-program, and

services is to be paid at a rate established under 53-1-501.

The-reimbursement-rate-must--be--reasonable,--based--on--the offender's---employment---status---and---other---financial obligations;--However,--the--charges--for--room--and--board--may--not exceed-20%--of--the--offender's--net--employment--income;

(b)--victim--restitution--ordered--by--the--sentencing--court, which--may--not--exceed-20%--of--the--offender's--net--employment income;

(c)--deposits--to--a--savings--account--or--fund--to--be--used--by the--offender--for--general--living--expenses--following--his release--from--the--community--corrections--facility--or--program; and

(d)--payment--of--family--support;

(2) In a community corrections facility or program, the offender has the primary obligation to obtain employment, but the department of labor and industry shall provide assistance to the offender in obtaining suitable employment."

-End-