## 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.

SENT TO ENROLLING.

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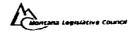
REPORTED CORRECTLY ENROLLED.

LC 1209/01

Serott BILL NO. 193 1 INTRODUCED BY Minon Water 2 BY REQUEST OF THE DEPARTMENT OF 3 CORRECTIONS AND HUMAN SERVICES 4 5 "AN ACT CHANGING OFFENDER A BILL FOR AN ACT ENTITLED: 6 FINANCIAL OBLIGATIONS WHEN AN OFFENDER IS PLACED IN A 7 COMMUNITY-BASED CORRECTIONS FACILITY; AND AMENDING SECTION 8 53-30-323, MCA." 9 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 Section 1. Section 53-30-323, MCA, is amended to read:

12 "53-30-323. Offender payments. (1) An offender placed 13 in a community corrections facility or program under this 14 part shall execute a written contract or agreement with the 15 director of the facility or program, setting forth the terms 16 and conditions for placement in the facility or program. The 17 contract or agreement may must provide that a portion of any 18 money received from employment of the offender be set aside 19 for payment--of--the--following--expenses--in--order-of-the 20 priority-in-which-they-appear-below: reimbursement to the 21 community corrections facility. 22

23 (a)--reimbursement <u>Reimbursement</u> 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-mustbereasonable7basedonthe
3	offender'semploymentstatusandotherfinancial
4	obligationsHowever-the-charges-for-room-and-board-may-not
5	exceed-20%-of-the-offenderis-net-employment-income.
6	<pre>{b}victim-restitution-ordered-by-the-sentencing-court;</pre>
7	which-may-not-exceed-20%-of-theoffender'snetemployment
8	income;
9	(c)deposits-to-a-savings-account-or-fund-to-be-used-by
10	theoffenderforgenerallivingexpensesfollowing-his
11	release-from-the-community-corrections-facility-orprogram;
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

employment."

18

-End-



LC 1209/01

## APPROVED BY COMMITTEE ON JUDICIARY

1	Serott BILL NO. 193
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2	INTRODUCED BY
3	BY REQUEST OF THE DEPARTMENT OF
4	CORRECTIONS AND HUMAN SERVICES
5	
6	A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING OPPENDER
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	<b>Section 1.</b> 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
14 15	
	in a community corrections facility or program under this
15	in a community corrections facility or program under this part shall execute a written contract or agreement with the
15 16	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 <u>must</u> provide that a portion of any
15 16 17	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
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15 16 17 18 19	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 <u>must</u> provide that a portion of any money received from employment of the offender be set aside

23 (a)--reimbursement <u>Reimbursement</u> to the community
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5	exceed-20%-of-the-offender*s-net-employment-income-
6	tb;victim-restitution-ordered-by-the-sentencing-court;
7	which-may-not-exceed-20%-of-theoffender*snetemployment
8	income;
9	{c}deposits-to-a-savings-account-or-fund-to-be-used-by
10	theoffenderforgenerallivingexpensesfollowing-his
11	release-from-the-community-corrections-facility-orprogram;
12	end
13	td;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-

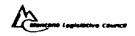
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(93 SECOND READING

LC 1209/01

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23 (a)--reimbursement <u>Reimbursement</u> to the community
 24 corrections facility or program for m-portion-of the cost of
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1	services is to be paid at a rate established under 53-1-501.
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5	exceed-20%-of-the-offender*s-net-employment-income;
6	<pre>(b)victim-restitution-ordered-by-the-sentencing-courty</pre>
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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-

-2-

SB 193

THIRD READING

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SB 0193/02

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services is to be paid at a rate established under 53-1-501. The-reimbursement-rate-must--be--reasonabley--based--on--the

offender's----employment----status---and---other---financial

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5 exceed-20%-of-the-offenderis-net-employment-income-

6 tbj--victim-restitution-ordered-by-the-sentencing-court; 7 which-may-not-exceed-20%-of-the--offenderis--net--employment 8 income;

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

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

(2) In a community corrections facility or program, the 14 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-

-2-

SB 193 **REFERENCE BILL** 

3 CORRECTIONS AND HUMAN SERVICES ٨ 5 "AN ACT CHANGING OFFENDER A BILL FOR AN ACT ENTITLED: 6 FINANCIAL OBLIGATIONS WHEN AN OFFENDER IS PLACED IN A 7 COMMUNITY-BASED CORRECTIONS FACILITY; AND AMENDING SECTION 8 9 53-30-323, MCA." 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 Section 1. Section 53-30-323, MCA, is amended to read: 12 \*53-30-323. Offender payments. (1) An offender placed 13 in a community corrections facility or program under this 14 part shall execute a written contract or agreement with the 15 director of the facility or program, setting forth the terms 16 and conditions for placement in the facility or program. The 17 contract or agreement may must provide that a portion of any 18 money received from employment of the offender be set aside 19 for payment--of--the--following--expenses--in--order-of-the 20 priority-in-which-they-appear-below: reimbursement to the 21 community corrections facility. 22

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