

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.

PRINTING REPORT.

SECOND READING - DO PASS -

ENGROSSING REPORT.

THIRD READING, PASSED.
AYES, 50: NOES, 0.

TRANSMITTED TO HOUSE.

IN THE HOUSE

FIRST READING.

MARCH 6, 1993 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

MARCH 16, 1993 RETURNED TO SENATE.

IN THE SENATE

MARCH 17, 1993 RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

Senate BILL NO. 193

1 INTRODUCED BY Mojica Watanabe
 2 BY REQUEST OF THE DEPARTMENT OF
 3 CORRECTIONS AND HUMAN SERVICES

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING OFFENDER
 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 (a) reimbursement Reimbursement to the community
 23 corrections facility or program for a portion of the cost of
 24 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 to victim restitution ordered by the sentencing court,
 7 which may not exceed 20% of the offender's net employment
 8 income;
 9 to 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 to 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

Senate BILL NO. 193

INTRODUCED BY Myrna Watson
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

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-

Sent BILL NO. 193

1 INTRODUCED BY Myron Watson
 2 BY REQUEST OF THE DEPARTMENT OF
 3 CORRECTIONS AND HUMAN SERVICES

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 6 FINANCIAL OBLIGATIONS WHEN AN OFFENDER IS PLACED IN A
 7 COMMUNITY-BASED CORRECTIONS FACILITY; AND AMENDING SECTION
 8 53-30-323, MCA."

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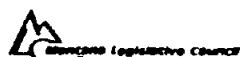
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 18 money received from employment of the offender be set aside
 19 for payment--of--the--following--expenses--in--order--of--the
 20 priority-in-which-they-appear-below: reimbursement to the
 21 community corrections facility.

22 ~~to~~--reimbursement Reimbursement to the community
 23 corrections facility or program for a portion of the cost of
 24 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 ~~to~~--victim-restitution-ordered-by-the-sentencing-court,
 7 ~~which may not exceed 20% of the offender's net employment~~
 8 ~~income;~~
 9 ~~to~~--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 ~~to~~--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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7 FINANCIAL OBLIGATIONS WHEN AN OFFENDER IS PLACED IN A
8 COMMUNITY-BASED CORRECTIONS FACILITY; AND AMENDING SECTION
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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 the

19 money received from employment of the offender be set aside

20 for payment--of--the--following--expenses--in--order--of

21 priority-in-which-they-appear-below: reimbursement to

22 community corrections facility.

23 ~~to~~--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-