

ACT 303

H.B. NO. 1771

A Bill for an Act Relating to Correctional Industries.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 354D-10, Hawaii Revised Statutes, is amended to read as follows:

“§354D-10 Correctional industries revolving fund. There is created the correctional industries revolving fund to be administered by the department. All moneys collected by the department from the sale or disposition of goods and services produced in accordance with this chapter and any inmate deductions shall be deposited into the correctional industries revolving fund. The proceeds in the correctional industries revolving fund shall be used for: the purchase or lease of supplies, equipment, and machinery; the construction, leasing, or renovating of buildings used to carry out the purposes of this chapter; the salaries of personnel necessary to administer the enterprises established in accordance with this chapter; payment of inmates for work assignments; the reimbursement of incarceration costs of the inmates related to the inmates' participation in correctional industries; and other necessary expenses; provided that the correctional industries revolving fund shall not be maintained in excess of the amount necessary to carry out the purposes of this chapter.”

SECTION 2. Section 354D-12, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Proceeds and wages owed to a qualified, able-bodied inmate from the sale of goods or services that were produced by the qualified, able-bodied inmate under a program authorized by this chapter shall be held in an account maintained by the department and paid:

- (1) To the criminal injuries compensation fund on a quarterly basis in amounts representing not less than five per cent nor more than twenty per cent of the earnings of all inmates in the State incarcerated for a violent crime listed in section 351-32; provided that these payments shall be mandatory and shall in no way relate to any claim filed under chapter 351; and provided further that the director shall submit timely annual reports to the legislature and the criminal injuries compensation commission on the amounts paid pursuant to this paragraph during the previous fiscal year;

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- (2) To support the qualified, able-bodied inmate's dependents in amounts deemed appropriate by the department after consultation with the department of human services;
- (3) Into trust funds that may be established for the qualified, able-bodied inmate and shall be payable upon the inmate's release; and
- (4) [For] Into the correctional industries revolving fund, for costs incident to the qualified, able-bodied inmate's confinement in an amount determined by the department, but not to exceed twenty per cent of the proceeds and wages."

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$65,000, or so much thereof as may be necessary for fiscal year 1993-1994, for the purpose of recovering moneys previously withheld and deposited to the general fund of the State of Hawaii from wages earned by inmates in private sector ventures. The sum appropriated shall be deposited into the correctional industries revolving fund.

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval, except that Section 3 shall take effect on July 1, 1993.

(Approved June 21, 1993.)