

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 654

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO THE STATE BOARD OF CORRECTION; AMENDING SECTION 20-242, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING PRISONERS WHO SECURE EMPLOYMENT WITH A PRIVATE EMPLOYER AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 20-242, Idaho Code, be, and the same is hereby amended to read as follows:

20-242. FURLOUGH. ~~1.~~ (1) When a person is committed to the custody of the state board of correction, the board may, upon conditions which it may impose, direct that the person be permitted to continue in his regular employment, work project, or educational program, if that is compatible with the requirements of subsection (3) of this section, or may authorize the person to secure employment for himself.

~~2.~~ (2) If the board directs that the prisoner be permitted to continue in his regular employment or education, the board shall arrange for a continuation of the employment or education so far as possible without interruption. If the prisoner does not have regular employment, and the board has authorized the prisoner to secure employment for himself, the prisoner may do so, and the board may assist him in doing so. A prisoner who secures employment with a private employer shall receive the same salary range offered to other similarly situated employees based on experience, education, and other qualifications. An employed prisoner shall have available to him all the benefits offered to other similarly situated employees, such as health care benefits, paid leave, flexible spending accounts, and life insurance. If an employed prisoner elects to participate in an optional benefit, he shall have the same financial responsibility as his coworkers to pay for insurance premiums and copayments for services received. Employed prisoners who elect private health insurance shall list the board as a secondary payer.

~~3.~~ (3) Whenever the prisoner is not employed and between the hours or periods of employment, work project, or schooling, he shall be domiciled in a jail, facility, or residence as directed by the board of correction.

~~4.~~ (4) The earnings of the prisoner shall be retained by the prisoner under such terms and conditions as the board may impose. From such earnings the board may require that:

~~a.~~ the (a) The prisoner pay an amount to the board of correction sufficient for the prisoner's board and personal expenses, both inside and outside the jail, facility, or residence, including costs of administering such prisoner's work furlough program;

~~b.~~ the (b) The prisoner provide for the reasonable and adequate support and maintenance of the prisoner's dependents;

~~c.~~ the (c) The prisoner pay preexisting debts;

1 ~~d. the~~ (d) The prisoner deposit earnings in a financial institution.

2 ~~5.~~ (5) If the prisoner violates the conditions established for his con-
3 duct, custody or employment, the board may order the balance of the pris-
4 oner's sentence to be spent in actual confinement.

5 ~~6.~~ (6) The ~~wilful~~ willful failure of a prisoner to return to the place
6 of confinement ~~not~~ no later than the expiration of any period during which
7 he is authorized to be away from the place of confinement under this section
8 is an escape from the place of confinement and is punishable as provided by
9 section 18-2505, Idaho Code.

10 ~~7.~~ (7) A furlough may be revoked by the board at any time without notice
11 or hearing.

12 SECTION 2. An emergency existing therefor, which emergency is hereby
13 declared to exist, this act shall be in full force and effect on and after
14 July 1, 2024.