

SENATE BILL NO. 2104

Introduced by

Government and Veterans Affairs Committee

(At the request of the Department of Corrections and Rehabilitation)

1 A BILL for an Act to amend and reenact subsection 2 of section 12-48-03.1 of the North Dakota
2 Century Code, relating to the sale of prison industries-made products.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Subsection 2 of section 12-48-03.1 of the North Dakota
5 Century Code is amended and reenacted as follows:

6 2. All products made in prison industries may be purchased directly by governmental
7 agencies, including federal, state, and tribal agencies and political subdivisions, for
8 use in official business, and by nonprofit organizations, excluding trade associations,
9 fraternal organizations, co-ops, and health insurance companies. Prison industries
10 may sell commissary items and prison industries-made clothing to inmates. Prison
11 industries-made products may also be sold through wholesale or retail outlets that
12 possess a valid sales tax permit, and if the products are manufactured under the
13 prison industries enhancement certification program under Public Law No. 96-157 [93
14 Stat. 1215; 18 U.S.C. 176(c)], in interstate commerce and through export firms for sale
15 to international markets. Prison industries-made products may also be sold to state
16 employees within North Dakota for personal use.