

SENATE BILL NO. 127

INTRODUCED BY R. WEBB

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO THE INMATE WELFARE ACCOUNT; ALLOWING MONEY IN THE ACCOUNT TO BE USED FOR THE NEEDS OF AN INMATE'S FAMILY AND FRIENDS IN ADDITION TO THE NEEDS OF THE INMATE; RESTRICTING THE USE OF MONEY IN THE ACCOUNT TO CERTAIN PROGRAMS AND ACTIVITIES; REQUIRING EACH PRISON TO REPORT CERTAIN INFORMATION ABOUT THE ACCOUNT TO THE DEPARTMENT OF CORRECTIONS; REQUIRING THE DEPARTMENT OF CORRECTIONS TO ADOPT RULES; AND AMENDING SECTION 53-1-109, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-1-109, MCA, is amended to read:

"53-1-109. Prison inmate welfare account. (1) There is an account in the state special revenue fund. The net proceeds from state prison inmate canteen purchases and inmate telephone use, cash proceeds from the disposition of confiscated contraband, and any public money held for the needs of inmates and their families and not otherwise allocated must be deposited in the account. Money in an account established under 53-1-107 may not be deposited in the account established in this subsection.

(2) The money in the account is statutorily appropriated, as provided in 17-7-502, to the department of corrections, which may allocate the money referred to in subsection (1) to the state prisons in proportion to the amount that each state prison contributed to the fund. The administrator of each state prison shall consult with the inmates about the use of the money allocated to the state prison and may use the money only for the needs of the inmates and their friends and families, as described in subsection (3).

(3) The needs of the inmates and their friends and families include:

- (a) positive visitation experiences;
- (b) inmate recreational equipment and programs;
- (c) inmate hobby programs;
- (d) inmate educational and training programs;
- (e) information and outreach programs for friends and families of inmates; and
- (f) any other program or activity that helps build and maintain positive relationships between inmates and

1 between an inmate and the inmate's family and friends.

2 (4) Each state prison shall provide to the department of corrections a quarterly report detailing:

3 (a) the prison's account balance;

4 (b) the revenue deposited by the prison in the account in the state special revenue fund and the source
5 of the revenue;

6 (c) requests for funds from the account by date and purpose;

7 (d) the status or final disposition of each request for funds;

8 (e) expenditures by date; and

9 (f) any other information requested by the department.

10 (5) The department of corrections shall make the report available to the public and to the inmate who
11 is designated for each housing unit as the inmate representative for the inmate welfare fund.

12 (6) The department of corrections shall adopt rules to implement the provisions of this section, including
13 but not limited to rules that provide a method by which a family member or friend on the inmate's visitor list may
14 request an expenditure of funds from the account for the purposes specified in subsection (3).

15 ~~(3)~~(7) For purposes of this section, "state prison" has the meaning provided in 53-30-101(3)(c)(i) through
16 (3)(c)(iii) and (3)(c)(v)."

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