



AN ACT GENERALLY REVISING LAWS RELATED TO TELECOMMUNICATIONS CONTRACTS THAT PROVIDE SERVICES FOR STATE INMATES; REQUIRING AN INTERIM STUDY OF TELECOMMUNICATIONS CONTRACTS, FEES, AND COMMISSARY COSTS; REQUIRING A PERFORMANCE AUDIT OF THE INMATE WELFARE FUND; PROVIDING AN APPROPRIATION; PROVIDING FOR CONTINGENT VOIDNESS; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE.

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

- Section 1. Interim study of inmate telecommunications services -- performance audit -- reports.** (1) The law and justice interim committee established in 5-5-226 shall study inmate telecommunications contracts and costs during the 2021-2022 interim. The study must include contracts and costs in state prisons, other state-owned or operated facilities, and county detention centers.
- (2) The study must:
- (a) examine the current phone call rates and any ancillary fees charged by state prisons and facilities and county detention centers;
 - (b) review cooperative purchasing agreement laws to determine how the state and counties could partner to provide for telecommunications services, including the possibility of partnering with another state to provide services;
 - (c) review methods used in other states to provide telecommunications services to state and local inmates, including whether states use general fund appropriations to subsidize phone rates for inmates;
 - (d) review studies to determine if inmate recidivism is lowered by continued contact with families and friends while incarcerated;
 - (e) examine the statutory basis for the inmate welfare fund, including funding sources for the fund and

expenditures from it;

(f) review federal rate caps for interstate calls from state prisons and detention centers and any effects federal law might have on state and local telecommunications contracts; and

(g) determine, if possible, the lowest cost that could be assessed to inmates in state and county facilities for phone calls.

(3) The law and justice interim committee shall consult with the department of corrections, county sheriffs and detention center administrators, families of incarcerated or detained individuals and organizations advocating on their behalf, telecommunications services providers, and other stakeholders the committee considers necessary.

(4) All aspects of the study must be concluded prior to September 15, 2022. Final results of the study must be reported to the 68th legislature.

(5) The legislative audit division shall conduct a performance audit of the inmate welfare fund and report results of the audit to the legislative audit committee, the law and justice interim committee, and the 68th legislature.

Section 2. Appropriation. There is appropriated \$500 from the general fund to the legislative services division for the biennium beginning July 1, 2021. The appropriation must be used for the purposes of conducting the study required by [section 1]. Unused funds must revert to the general fund.

Section 3. Contingent voidness. (1) Pursuant to Joint Rule 40-65, if [this act] does not include an appropriation prior to being transmitted to the governor, then [this act] is void.

(2) If the appropriation in [section 2] is vetoed, then [this act] is void.

Section 4. Effective date. [This act] is effective July 1, 2021.

Section 5. Termination. [This act] terminates December 31, 2022.

- END -

I hereby certify that the within bill,
SB 303, originated in the Senate.

Secretary of the Senate

President of the Senate

Signed this _____ day
of _____, 2021.

Speaker of the House

Signed this _____ day
of _____, 2021.

SENATE BILL NO. 303

INTRODUCED BY T. MCGILLVRAY

AN ACT GENERALLY REVISING LAWS RELATED TO TELECOMMUNICATIONS CONTRACTS THAT PROVIDE SERVICES FOR STATE INMATES; REQUIRING AN INTERIM STUDY OF TELECOMMUNICATIONS CONTRACTS, FEES, AND COMMISSARY COSTS; REQUIRING A PERFORMANCE AUDIT OF THE INMATE WELFARE FUND; PROVIDING AN APPROPRIATION; PROVIDING FOR CONTINGENT VOIDNESS; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE.