

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

S

D

SENATE DRS25048-LL-159 (3/7)

Short Title: DOC Inmate Labor. -AB

(Public)

Sponsors: Senators Snow, and Kinnaird.

Referred to:

A BILL TO BE ENTITLED

1 AN ACT TO EXEMPT CERTAIN INMATE WORK ASSIGNMENTS FROM THE
2 STATE SURPLUS LAWS AND TO REMOVE ANTIQUATED LANGUAGE
3 REGARDING THE USE OF FEMALE INMATES IN PRISON LABOR
4 PROJECTS.
5

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 148-26 is amended by adding a new subsection to read:

8 "(e1) The Department of Correction may establish work assignments for inmates or
9 allow inmates to volunteer in service projects that benefit units of State or local
10 government or 501(c)(3) entities that serve the citizens of this State. The work
11 assignments may include the use of inmate labor and the use of Department of
12 Correction resources in the production of finished goods. Any products made pursuant
13 to this section shall not be subject to the provisions of Article 3A of Chapter 143 of the
14 General Statutes and may be donated to the government unit or 501(c)(3) organization
15 at no cost."

16 **SECTION 2.** G.S. 148-6 reads as rewritten:

17 **"§ 148-6. Custody, employment and hiring out of convicts.**

18 The State Department of Correction shall provide for receiving, and keeping in
19 custody until discharged by law, all such convicts as may be now confined in the prison
20 and such as may be hereafter sentenced to imprisonment therein by the several courts of
21 this State. The Department shall have full power and authority to provide for
22 employment of such convicts, either in the prison or on farms leased or owned by the
23 State of North Carolina, or elsewhere, or otherwise; and may contract for the hire or
24 employment of any able-bodied convicts upon such terms as may be just and fair, but
25 such convicts so hired, or employed, shall remain under the actual management, control
26 and care of the Department: ~~Provided, however, that no female convict shall be worked~~
27 ~~on public roads or streets in any manner."~~

1 **SECTION 3.** G.S. 148-27 is repealed.

2 **SECTION 4.** G.S. 148-33 reads as rewritten:

3 "**§ 148-33. Prison labor furnished other State agencies.**

4 The State Department of Correction may furnish to any of the other State
5 departments, State institutions, or agencies, upon such conditions as may be agreed
6 upon from time to time between the Department and the governing authorities of such
7 Department, institution or agency, prison labor for carrying on any work where it is
8 practical and desirable to use prison labor in the furtherance of the purposes of any State
9 department, institution or agency, and such other employment as is now provided by
10 law for inmates of the State's prison under the provisions of G.S. 148-6: Provided that
11 such prisoners shall at all times be under the custody of and controlled by the duly
12 authorized agent of such Department. Provided, further, that notwithstanding any
13 provisions of law contained in this Article or in this Chapter, no ~~male~~ prisoner or group
14 of ~~male~~ prisoners may be assigned to work in any building utilized by any State
15 department, agency, or institution ~~where women are housed or employed~~ unless a duly
16 designated custodial agent of the Secretary of Correction is assigned to the building to
17 maintain supervision and control of the prisoner or prisoners working there."

18 **SECTION 5.** This act is effective when it becomes law.