

ENROLLED ACT NO. 94, SENATE

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2005 GENERAL SESSION

AN ACT relating to prison industries program; amending compensation provisions for inmates participating in the prison industries program as specified; adjusting the distribution of compensation based on whether the inmate owes child support; and providing for an effective date.

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

Section 1. W.S. 25-13-107(b) is amended to read:

25-13-107. Compensation of employed inmates; payment and disposition.

(b) The compensation of an inmate employed under this act shall be surrendered to the department and, ~~following deduction for federal income taxes and social security,~~ shall be distributed in the following order:

(i) ~~Ten percent (10%)~~ Fifteen percent (15%) of the inmate's gross compensation under the program to the inmate's personal savings account within the correctional facility's trust and agency account, until the inmate's account has a balance of up to two thousand five hundred dollars (\$2,500.00). Once the inmate's personal savings account balance reaches two thousand five hundred dollars (\$2,500.00), this fifteen percent (15%) shall be distributed to the inmate as provided by W.S. 7-16-205(a). Funds in the inmate's personal savings account shall be paid to the inmate upon parole or final discharge;

(ii) Twenty percent (20%) of the inmate's gross compensation under the program to be distributed to the inmate as provided by W.S. 7-16-205(a);

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(iii) Deduction for federal income taxes, medicare and social security appropriate to the gross amount of the inmate's compensation under the program;

~~(ii)(iv) Five percent (5%) Fifteen percent (15%) of the remaining amount to the crime victims compensation account created by W.S. 1-40-114; provided, however, that if the inmate is not obligated to pay child support, twenty percent (20%) to the crime victims compensation account;~~

(iii)(v) Thirty percent (30%) If the inmate is not obligated to pay child support, the remaining amount to the correctional industries account pursuant to W.S. 25-13-103(a), to reduce the cost otherwise associated with providing the inmate with room and board;

(iv)(vi) Up to twenty five percent (25%) If the inmate is obligated for existing child support obligations, pursuant to state statute, or court order, or agreement by the inmate. If no child support obligation exists, the percentage shall be divided equally between the crime victims compensation account and the correctional industries account; and including all support obligations issued pursuant to W.S. 20-2-102, the remainder of the inmate's compensation under the program, shall be distributed toward the child support obligation up to the amount ordered. If the existing child support obligation is less than the remainder of the inmate's compensation under the program, the difference between the actual amount of the child support obligation and the remainder of the inmate's compensation under the program shall be distributed to the correctional industries account pursuant to W.S. 25-13-103(a), to reduce the cost otherwise associated with providing the inmate with room and board;

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~~(v) The balance which shall not be less than twenty percent (20%) of gross income to be distributed as provided by W.S. 7-16-205(a).~~

(vii) The department shall provide all inmates employed under this act with the forms necessary for the filing of a petition for support under W.S. 20-2-102 and shall honor new or existing court orders for support up to the amount ordered, including those orders issued pursuant to a petition for support filed under W.S. 20-2-102.

Section 2. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk