

By: Jones of Harris

H.B. No. 4620

A BILL TO BE ENTITLED

AN ACT

relating to minimum compensation for inmates participating in certain work programs.

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

SECTION 1. Section 497.004(a), Government Code, is amended to read as follows:

(a) The board shall ~~[may]~~ develop by rule and the department shall ~~[may]~~ administer an incentive pay scale for work program participants consistent with rules adopted by the board under Subchapter C. The board shall set pay levels at a minimum of \$2.12 per hour of work. Prison industries may be financed through contributions donated for this purpose by private businesses contracting with the department. The department shall apportion pay earned by a work program participant in the same manner as is required by rules adopted by the board under Section 497.0581.

SECTION 2. Section 497.099(b), Government Code, is amended to read as follows:

(b) The board shall ~~[may]~~ develop by rule and the department shall ~~[may]~~ administer an incentive pay scale program for inmates required to work in agricultural, industrial, or other work programs. In developing the program, the board shall set pay levels not to unjustly reward inmates, but rather to instruct inmates on the virtues of diligent participation in the workplace, provided that the board shall set pay levels at a minimum of \$2.12 per hour of

1 work. The department shall deposit an amount earned by an inmate
2 under this subsection into the inmate's trust fund and may deduct
3 not more than 80 percent of the amount deposited under this
4 subsection for payment of restitution and dependent care owed by
5 the inmate. This subsection does not apply to the compensation of
6 an inmate participating in a Texas Correctional Industries program
7 under Subchapter A or an inmate participating in a private sector
8 prison industries program under Subchapter C.

9 SECTION 3. Not later than December 1, 2023, the Texas Board
10 of Criminal Justice shall adopt the rules required by Sections
11 [497.004](#)(a) and [497.099](#)(b), Government Code, as amended by this Act.

12 SECTION 4. This Act takes effect September 1, 2023.