

SENATE BILL No. 1465

August 24, 2010, Introduced by Senator VAN WOERKOM and referred to the Committee on Agriculture and Bioeconomy.

A bill to amend 1968 PA 15, entitled
"Correctional industries act,"
by amending section 6 (MCL 800.326), as amended by 2007 PA 102.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 6. (1) Correctional industries products may be sold,
2 exchanged, or purchased by any of the following:

3 (a) An institution of this or any other state or political
4 subdivision of this or any other state, the federal government or
5 agencies of the federal government, a foreign government or
6 agencies of a foreign government, or a private vendor that operates
7 a correctional facility in this state.

8 (b) Any organization that is a tax exempt organization under
9 section 501(c)(3) of the internal revenue code.

10 (c) Any private business or individual, if the products are

1 cut and sewn textiles, but only if the same or a comparable in
2 style product is not manufactured by a private business in this
3 state.

4 (D) A PERSON WHO OWNS OR OPERATES A FARM IN THIS STATE AND WHO
5 ENGAGES THE LABOR OF SEASONAL FARMWORKERS, IF THE PRODUCT IS
6 PREFABRICATED HOUSING SUITABLE FOR HOUSING SEASONAL FARMWORKERS.

7 (2) An agricultural product that is produced on a correctional
8 farm may be utilized within the correctional institutions or within
9 a correctional facility in this state notwithstanding its operation
10 by a private vendor or sold to an institution, governmental agency,
11 or organization described in subsection (1) or sold for utilization
12 in the food production facilities of the department of corrections
13 notwithstanding the operation of those facilities by a private
14 vendor. An agricultural product that is not utilized or sold as
15 provided in this subsection shall be made available without charge
16 to nonprofit charitable organizations or to the family independence
17 agency for use in food banks, bulk food distributions, or similar
18 charitable food distribution programs. This subsection does not
19 apply to an agricultural product that is not in a form suitable for
20 use in the manner prescribed in this section, such as bulk grain,
21 live cattle, and hogs, which may be sold on the open market.

22 (3) Except as provided in ~~subsections~~ **SUBSECTION** (4), and ~~(5)~~,
23 the labor of inmates shall not be sold, hired, leased, loaned,
24 contracted for, or otherwise used for private or corporate profit
25 or for any purpose other than the construction, maintenance, or
26 operation of public works, ways, or property as directed by the
27 governor. This act does not prohibit the sale at retail of articles

1 made by inmates for the personal benefit of themselves or their
2 dependents or the payment to inmates for personal services rendered
3 in the correctional institutions, subject to regulations approved
4 by the department of corrections, or the use of inmate labor upon
5 agricultural land that has been rented or leased by the department
6 of corrections upon a sharecropping or other basis.

7 (4) If more than 80% of a particular product sold in the
8 United States is manufactured outside the United States and none of
9 that product is manufactured in this state, or if a particular
10 service is not performed in this state, as determined by the
11 department of corrections in conjunction with the advisory council
12 for correctional industries, inmate labor may be used in the
13 manufacture of that product or the rendering of that service in a
14 private manufacturing or service enterprise established under
15 section 7a. A determination by the department of corrections under
16 this subsection shall be made at the time the individual or
17 business entity applies to the department for approval to produce
18 that product or render that service pursuant to section 7a.