

**CHAPTER 728**

**H.B. No. 1573**

**An Act relating to the expansion and development of certain prison industries.**

*Be it enacted by the Legislature of the State of Texas:*

**SECTION 1.** Title 108, Revised Statutes, is amended by adding Article 6203c-3 to read as follows:

**Art. 6203c-3. PRISON INDUSTRIES**

**Sec. 1. DEFINITIONS.** In this article:

- (1) "Board" means the Texas Board of Corrections.
- (2) "Department" means the Texas Department of Corrections.
- (3) "Director" means the director of the Texas Department of Corrections.

**Sec. 2. PRISON INDUSTRIES DIVISION.** The prison industries division is created as a division of the Texas Department of Corrections. The division is under the control of the director.

**Sec. 3. PURPOSE; IMPLEMENTATION.** (a) The division is established to provide adequate employment, vocational training, and development and expansion of public and private prison industries.

(b) In order to implement the purposes of the division, the director may establish and operate a prison industries program at each correctional facility that the director considers suitable for such a program.

**Sec. 4. PRISON INDUSTRIES ADVISORY COMMITTEE.** The advisory committee shall be composed of nine members and shall be appointed by the Board of Corrections. Members of the advisory committee shall serve for staggered terms of three years. Three members' terms expire February 1 of each odd-numbered year.

**Sec. 5. INMATE LABOR; OTHER PERSONNEL; INCENTIVE PAY.** (a) The director shall use inmate labor in the prison industries program to the greatest extent feasible.

(b) The director may employ other persons as necessary to administer and supervise the prison industries program, or to instruct the inmates who participate in the program in the profitable and efficient operation of the activities authorized under the program.

(c) The board may develop and administer an incentive pay scale for prisoners incarcerated in the Texas Department of Corrections who participate in the prison industries program. The program may be financed through contributions donated for this purpose by private business enterprises or by private industries contracting with the Texas Department of Corrections.

**Sec. 6. ADMINISTRATION OF INDUSTRIAL REVOLVING FUND; DISBURSEMENTS FROM FUND.** (a) The division shall administer the industrial revolving fund created under Subsection (k), Prison-Made Goods Act of 1963 (Section 9, Article 6203c, Vernon's Texas Civil Statutes).

(b) All proceeds received from a prison industries program operated under this article shall be deposited in the industrial revolving fund. Notwithstanding the provisions of the Prison-Made Goods Act of 1963 (Section 9, Article 6203c, Vernon's Texas Civil Statutes), those proceeds may be used by the department for the administration of this article.

**Sec. 7. CONTRACTS.** In order to encourage the development and expansion of the prison industries program, the division may enter any necessary contracts related to the prison industries program. With the approval of the board, the division may enter contracts with private businesses to conduct programs on or off property operated by the department.

**Sec. 8. GRANTS.** The division may accept grants, including federal grants, that are designated for inmate vocational rehabilitation. The division shall maintain records relating to the receipt and disbursement of any grant funds, and shall report to the board on an annual basis relating to the administration of any grant funds.

**Sec. 9. LEASE OF PRISON LAND.** In order to further the expansion and development of the prison industries program, the Texas Department of Corrections may lease prison land to private business enterprises. A lease entered under this section may not exceed a term of 50 years. Such a business enterprise shall lease the prison land at fair market value and may construct or convert plant facilities on that land.

**SECTION 2.** This Act takes effect September 1, 1985.

**SECTION 3.** The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 17, 1985, by a non-record vote; House concurred in Senate amendments to H.B. No. 1573 on May 27, 1985, by a non-record vote; passed by the Senate, with amendments, on May 26, 1985, by the following vote: Yeas 31, Nays 0.

Approved: June 14, 1985

Effective: September 1, 1985