

FILED MAR 08 '04

SENATE FILE 2274

BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3118)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to inmate labor used on improvement projects at  
2 state institutions.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2274 JUDICIARY

1 Section 1. Section 904.315, Code Supplement 2003, is  
2 amended to read as follows:

3 904.315 CONTRACTS FOR IMPROVEMENTS.

4 ~~The~~ Except as otherwise provided in this section, the  
5 director of the department of administrative services shall,  
6 in writing, let all contracts for authorized improvements  
7 costing in excess of twenty-five thousand dollars under  
8 chapter 8A, subchapter III. Upon prior authorization by the  
9 director, improvements costing five thousand dollars or less  
10 may be made by the superintendent of any institution.

11 A contract is not required for ~~improvements~~ a construction,  
12 reconstruction, demolition, or repair project or improvement  
13 at a state institution where the labor of inmates is to-be  
14 used if-the-contract-is-not-for-a-construction,  
15 reconstruction, demolition, or repair project or improvement  
16 with-an-estimated-cost-in-excess-of-twenty-five-thousand  
17 dollars and constitutes more than seventy-five percent of the  
18 labor used for the project or improvement.

19 EXPLANATION

20 This bill relates to inmate labor used on a project or  
21 improvement at a state institution. The bill allows inmate  
22 labor to be used on a project or improvement at a state  
23 institution if inmate labor constitutes more than 75 percent  
24 of the labor used on the project or improvement. Current law  
25 allows inmate labor to be used on improvement projects which  
26 cost \$25,000 or less and requires the director of the  
27 department of administrative services to let all contracts for  
28 an improvement project at a state institution in excess of  
29 \$25,000.

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**Fiscal Services Division  
Legislative Services Agency  
Fiscal Note**

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SF 2276 - Inmate Labor (LSB 6325 SV)

Analyst: Beth Lenstra Phone: (515) 281-6301 (beth.lenstra@legis.state.ia.us)

Fiscal Note Version - New

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**Description**

Senate File 2276 allows inmate labor to be used on a project or improvement at a State institution if inmate labor constitutes more than 75.0% of the labor used on the project. Current law allows inmate labor to be used on improvement projects that cost \$25,000 or less. Under current law, the Director of the Department of Administrative Services contracts for an improvement project at State institutions in excess of \$25,000.

**Assumptions**

1. For most construction projects, labor represents from 33.0% to 50.0% of total project costs. Under the Bill, these projects would not be eligible for the use of inmate labor.
2. For projects such as tuck-pointing or demolition, labor represents from 66.0% to 100.0% of total project costs. These projects would be eligible for the use of inmate labor.
3. There may be projects that are eligible for the use of inmate labor under SF 2276, however, the project's location may preclude the use of inmate labor due to security concerns or transportation costs.
4. The amount of savings generated by the use of inmate labor is dependent upon the specific project and location.

**Fiscal Impact**

The fiscal impact of SF 2276 cannot be determined due to insufficient information. Savings may result in State institutional budgets for building repair and maintenance, however, no estimate is available.

**Source**

Department of Administrative Services

Dennis C Prouty

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March 9, 2004

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The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Fiscal Services Division, Legislative Services Agency to members of the Legislature upon request.

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Tinsman  
Miller  
raise

Succeeded By  
⑤ VHF 2276 SSB# 3118  
Judiciary

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY  
CHAIRPERSON REDFERN)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

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