

Joint Committee on Ways and Means

Carrier – House: Rep. Barker  
Carrier – Senate: Sen. Monroe

Revenue: No revenue impact

Fiscal: Fiscal statement issued

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Action: Do Pass the A-Engrossed Measure

Vote: 22 – 0 – 3

House

Yeas: Beyer, Buckley, Cowan, Garrard, Komp, McLane, Nathanson, Nolan, Richardson,  
G. Smith, Thatcher, Whisnant

Nays:

Exc: Freeman, Kotek

Senate

Yeas: Devlin, Edwards, Girod, Johnson, Monroe, Nelson, Thomsen, Verger, Whitsett, Winters

Nays:

Exc: Bates

Prepared By: Tim Walker, Legislative Fiscal Office

Meeting Date: May 20, 2011

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**WHAT THE MEASURE DOES:** Clarifies that the Department of Corrections may not only assess fees but collect fees for self-improvement programs, disciplinary fines and restitution for damage and destruction of property. Allows the Department of Corrections to charge a fee to administer inmate trust accounts. Limits what can be charged to no more than 5% of the amount of the credit or deposit. Effective on passage.

**ISSUES DISCUSSED:**

- Cap on percentage
- Possible use of inmate accounts to offset restitution
- Are inmate trust accounts required

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** Currently, the Department of Corrections has the authority to assess inmates for damage and destruction of property caused by willful misconduct. It may also assess fees for self-improvement programs, services and assistance to inmates. However, the law is silent as to the department's ability to collect these fees. The budget for the inmate trust operation is over \$1.3 million for the 2009-11 biennium. It cannot charge a fee for administering these accounts.