**A** **BILL**

TO AMEND SECTION 24-1-290, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EMPLOYMENT OF INMATES THROUGH THE PRISON INDUSTRIES PROGRAM, SO AS TO PROVIDE THAT THE DEPARTMENT OF CORRECTIONS MAY NOT NEGOTIATE OR EXECUTE A CONTRACT WITH A PRIVATE SECTOR BUSINESS THAT PAYS AN INMATE A WAGE THAT IS LESS THAN THE FEDERALLY ESTABLISHED MINIMUM WAGE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 24‑1‑290(C) of the 1976 Code, as added by Act 68 of 2007, is amended to read:

“(C) No contract may be negotiated or executed prior to forty days after the last date that the notice required by subsection (A) appears. New contracts and renewals of existing contracts between private sector entities and the Department of Corrections must be negotiated in accordance with procedures established jointly by the Department of Commerce and the Department of Corrections. The procedures must be drafted to ensure fairness and consistency in establishing contracts with private sector entities ~~seeking to establish or continue prison‑based operations whenever the wage to be paid is less than the federally established minimum wage~~. No contract may be negotiated or executed that pays a wage that is less than the federally established minimum wage.”

SECTION 2. The repeal or amendment by this act of any law, whether temporary or permanent or civil or criminal, does not affect pending actions, rights, duties, or liabilities founded thereon, or alter, discharge, release or extinguish any penalty, forfeiture, or liability incurred under the repealed or amended law, unless the repealed or amended provision shall so expressly provide. After the effective date of this act, all laws repealed or amended by this act must be taken and treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, civil action, special proceeding, criminal prosecution, or appeal existing as of the effective date of this act, and for the enforcement of rights, duties, penalties, forfeitures, and liabilities as they stood under the repealed or amended laws.

SECTION 3. This act takes effect upon approval by the Governor.

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