**South Carolina General Assembly**

125th Session, 2023-2024

**A192, R195, S1001**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Martin

Document Path: SR-0120JG24.docx

Introduced in the Senate on January 30, 2024

Introduced in the House on February 27, 2024

Currently residing in the Senate

Governor's Action: May 21, 2024, Signed

Summary: Inmate Labor

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

1/30/2024 Senate Introduced and read first time ([Senate Journal‑page 4](h:\sj\20240130.docx))

1/30/2024 Senate Referred to Committee on **Corrections and Penology** ([Senate Journal‑page 4](h:\sj\20240130.docx))

2/2/2024 Scrivener's error corrected

2/15/2024 Senate Committee report: Favorable **Corrections and Penology** ([Senate Journal‑page 7](h:\sj\20240215.docx))

2/21/2024 Senate Read second time ([Senate Journal‑page 27](h:\sj\20240221.docx))

2/21/2024 Senate Roll call Ayes-45 Nays-0 ([Senate Journal‑page 27](h:\sj\20240221.docx))

2/22/2024 Senate Read third time and sent to House ([Senate Journal‑page 10](h:\sj\20240222.docx))

2/27/2024 House Introduced and read first time ([House Journal‑page 33](h:\hj\20240227.docx))

2/27/2024 House Referred to Committee on **Judiciary** ([House Journal‑page 33](h:\hj\20240227.docx))

5/1/2024 House Committee report: Favorable **Judiciary** ([House Journal‑page 115](h:\hj\20240501.docx))

5/6/2024 Scrivener's error corrected

5/7/2024 House Read second time ([House Journal‑page 117](h:\hj\20240507.docx))

5/7/2024 House Roll call Yeas-109 Nays-0 ([House Journal‑page 117](h:\hj\20240507.docx))

5/8/2024 House Read third time and enrolled ([House Journal‑page 297](h:\hj\20240508.docx))

5/15/2024 Ratified R 195

5/21/2024 Signed By Governor

5/29/2024 Effective date 05/21/24

5/29/2024 Act No. 192

View the latest  [legislative information](https://www.scstatehouse.gov/billsearch.php?billnumbers=1001&session=125&summary=B)  at the website

**VERSIONS OF THIS BILL**

[01/30/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1001_20240130.docx)

[02/02/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1001_20240202.docx)

[02/15/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1001_20240215.docx)

[05/01/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1001_20240501.docx)

[05/06/2024](https://www.scstatehouse.gov/sess125_2023-2024/prever/1001_20240506.docx)

(A192, R195, S1001)

AN ACT TO AMEND THE SOUTH CAROLINA CODE OF LAWS BY AMENDING SECTION 24‑3‑430, RELATING TO THE AUTHORIZATION OF INMATE LABOR IN PRIVATE INDUSTRY AND REQUIREMENTS AND CONDITIONS, SO AS TO PROVIDE THAT NO INMATE PARTICIPATING IN THE PROGRAM MAY EARN LESS THAN THE FEDERAL MINIMUM WAGE.

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

Inmate labor compensation

SECTION 1. Section 24-3-430 of the S.C. Code is amended to read:

Section 24-3-430. (A) The Director of the Department of Corrections may establish a program involving the use of inmate labor by a nonprofit organization or in private industry for the manufacturing and processing of goods, wares, or merchandise or the provision of services or another business or commercial enterprise considered by the director to enhance the general welfare of South Carolina. No violent offender shall be afforded the opportunity to perform labor for nonprofit organizations if such labor is outside the confines of a correctional institution. Inmates participating in such labor shall not benefit in any manner contradictory to existing statutes.

(B) The director may enter into contracts necessary to implement this program. The contractual agreements may include rental or lease agreements for state buildings or portions of them on the grounds of an institution or a facility of the Department of Corrections and provide for reasonable access to and egress from the building to establish and operate a facility.

(C) An inmate may participate in the program established pursuant to this section only on a voluntary basis and only after he has been informed of the conditions of his employment.

(D) No inmate participating in the program may earn less than an hourly rate equal to the federal minimum wage for work of similar nature in the private sector.

(E) Inmate participation in the program may not result in the displacement of employed workers in the State of South Carolina and may not impair existing contracts for services.

(F) Nothing contained in this section restores, in whole or in part, the civil rights of an inmate. No inmate compensated for participation in the program is considered an employee of the State.

(G) No inmate who participates in a project designated by the Director of the Bureau of Justice Assistance pursuant to Public Law 90-351 is eligible for unemployment compensation upon termination from the program.

(H) The earnings of an inmate authorized to work at paid employment pursuant to this section must be paid directly to the Department of Corrections and applied as provided under Section 24-3-40.

Time effective

SECTION 2. This act takes effect upon approval by the Governor.

Ratified the 15th day of May, 2024.

Approved the 21st day of May, 2024.

\_\_\_\_\_\_\_\_\_\_