

# ACT No. 106

HOUSE BILL NO. 334

BY REPRESENTATIVES ELBERT GUILLORY, AUBERT, AUSTIN BADON, BOBBY BADON, BARROW, BILLIOT, BURRELL, CORTEZ, DIXON, FRANKLIN, GALLOT, GISCLAIR, GREENE, MICKEY GUILLORY, HARDY, HAZEL, HENDERSON, HONEY, HOWARD, HUTTER, ROSALIND JONES, LAFONTA, LEBAS, LEGER, LIGI, LOPINTO, MONICA, MORRELL, MORRIS, NORTON, PETERSON, RICHMOND, GARY SMITH, PATRICIA SMITH, ST. GERMAIN, TEMPLET, TRAHAN, WHITE, AND WILLIAMS AND SENATORS CRAVINS, DORSEY, GRAY, JACKSON, MARTINY, MURRAY, ADLEY, ALARIO, AMEDEE, BROOME, CASSIDY, CHAISSON, CHEEK, CROWE, DONAHUE, DUPLESSIS, DUPRE, ERDEY, B. GAUTREAUX, HEBERT, HEITMEIER, KOSTELKA, LAFLEUR, LONG, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, NEVERS, QUINN, RISER, AND WALSWORTH

1 AN ACT

2 To enact Part XVIII of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to  
3 be comprised of R.S. 15:1199.1 through 1199.16, relative to inmate workforce  
4 development; to enact the Inmate Rehabilitation and Workforce Development Act;  
5 to provide for the development and administration of the inmate rehabilitation and  
6 workforce development program; to provide for definitions; to provide for legislative  
7 findings; to create the inmate rehabilitation and workforce development advisory  
8 council; to provide for the membership of the council; to provide for the powers and  
9 duties of the council; to authorize the receipt of per diem by certain members of the  
10 council; to provide for the purposes of the program; to provide for the components  
11 of the program; to provide for applicability; to provide for inmate eligibility for  
12 participation in the program; to provide for selection of eligible inmates; to provide  
13 for the duration of the program; to provide criteria for removal from the program; to  
14 provide for rulemaking; to provide for annual reporting; to provide for the powers,  
15 duties, and responsibilities of the Department of Public Safety and Corrections  
16 regarding the implementation and administration of the program; to authorize and  
17 provide for workforce development work release programs; to provide for the  
18 collection and distribution of inmate wages; to provide for substance abuse

1 counseling and treatment; to provide for mandatory and random drug testing of  
2 inmates; and to provide for related matters.

3 Be it enacted by the Legislature of Louisiana:

4 Section 1. Part XVIII of Chapter 7 of Title 15 of the Louisiana Revised Statutes of  
5 1950, comprised of R.S. 15:1199.1 through 1199.16, is hereby enacted to read as follows:

6 PART XVIII. INMATE REHABILITATION

7 AND WORKFORCE DEVELOPMENT

8 §1199.1. Short title

9 This Part may be referred to and may be cited as the "Inmate Rehabilitation  
10 and Workforce Development Act".

11 §1199.2. Legislative findings

12 A. The goals of incarceration in the criminal justice system are:

13 (1) To protect the citizens of the state of Louisiana.

14 (2) To punish conduct which is defined as criminal by the legislature.

15 (3) To deter future conduct which is defined as criminal by the legislature.

16 (4) To rehabilitate offenders so that they may be reintroduced into society  
17 as law-abiding citizens.

18 B. The state of Louisiana is experiencing a severe shortage of skilled  
19 craftsmen. As a result of this workforce shortage, industries which depend upon  
20 skilled craftsmen are required to recruit and employ workers who are not Louisiana  
21 residents.

22 C. Within the prison system, there are Louisiana residents who have been  
23 convicted of nonviolent offenses who could be trained as skilled craftsmen to fill the  
24 workforce demand.

25 D. The legislature recognizes that an essential component of reducing  
26 recidivism is providing an individual with the necessary occupational skills to afford  
27 him the opportunity to earn a living, support his family, and contribute to his  
28 community.

29 E. The legislature also recognizes that in addition to occupational skills  
30 development, it is absolutely essential to provide proper substance abuse counseling,

1 mentoring, and other programs to assist individuals as they return to their  
2 communities with a focus on breaking the cycle that prevents them from moving  
3 forward with their lives.

4 F. With the goals of protecting the public safety, reducing recidivism,  
5 rehabilitation, and improving the skilled workforce of the state of Louisiana, the  
6 Louisiana Legislature enacts the Inmate Rehabilitation and Workforce Development  
7 Act.

8 §1199.3. Definitions

9 As used in this Part, the following words have the following meanings:

10 (1) "Council" means the Inmate Rehabilitation and Workforce Development  
11 Advisory Council.

12 (2) "Craft" means an occupation or trade requiring manual dexterity,  
13 specified training, and certification or licensing.

14 (3) "Department" means the Louisiana Department of Public Safety and  
15 Corrections.

16 (4) "Program" means the inmate rehabilitation and workforce development  
17 program operated by the Department of Public Safety and Corrections as authorized  
18 by the provisions of this Part.

19 (5) "Secretary" means the secretary of the Louisiana Department of Public  
20 Safety and Corrections.

21 (6) "Skilled craftsman" means a person who has completed training and  
22 certification or licensing in a skilled craft or an apprentice occupation as defined by  
23 the Louisiana Department of Labor which may include but is not limited to  
24 electrician, plumber, pipefitter, welder, millwright, heavy equipment operator,  
25 carpenter, heating, ventilation and air-conditioning technician, heavy construction,  
26 building construction, or machinist.

27 (7) "Workforce development work release" means a program for on-the-job  
28 training of inmates who have completed the inmate rehabilitation and workforce  
29 development program authorized by the provisions of this Part.

1           §1199.4. Inmate Rehabilitation and Workforce Development Advisory Council;  
2                           creation; members; powers and duties

3           A. The Inmate Rehabilitation and Workforce Development Advisory  
4           Council is hereby created within the Department of Public Safety and Corrections.

5           B. The council shall be domiciled in East Baton Rouge Parish.

6           C. The council shall be comprised of eleven members.

7           D. Six members of the council shall be comprised as follows:

8                           (1) The secretary of the Department of Public Safety and Corrections, or his  
9                           designee.

10                          (2) The secretary of the Department of Labor, or his designee.

11                          (3) The secretary of the Department of Health and Hospitals, or his designee.

12                          (4) The president of the Louisiana Community and Technical College  
13                          System, or his designee.

14                          (5) The president of the Senate shall appoint one member from the standing  
15                          committee in the Senate having criminal law and procedure subject matter  
16                          jurisdiction.

17                          (6) The speaker of the House shall appoint one member from the standing  
18                          committee in the House having criminal law and procedure subject matter  
19                          jurisdiction.

20                          E. The governor shall appoint five members in accordance with the  
21                          following provisions:

22                                  (1) One member shall be appointed from a list of three nominees submitted  
23                                  by the Louisiana Sheriffs Association.

24                                  (2) One member shall be appointed from a list of three nominees submitted  
25                                  by the Louisiana Association of Builders and Contractors.

26                                  (3) One member shall be appointed from a list of three nominees submitted  
27                                  by the Louisiana Association of Business and Industry.

28                                  (4) One member shall be appointed from a list of three members nominated  
29                                  by the president of the Louisiana AFL-CIO.

1                   (5) One member shall be appointed from a list of three members nominated  
 2                   by the Louisiana State Building and Construction Trades Council.

3                   F. Members, other than the secretaries, or their designees, or employees of  
 4                   the state, may receive a per diem of seventy-five dollars for each day spent in actual  
 5                   attendance of meetings of the council. Members may also receive a mileage  
 6                   allowance for mileage traveled in attending meetings of the council. The mileage  
 7                   allowance shall be fixed by the council in an amount not to exceed the mileage rate  
 8                   for state employees.

9                   G. Six members shall constitute a quorum, and all actions of the council shall  
 10                  require the affirmative vote of at least six members.

11                  H. The governor shall appoint the chairman of the council, and the council  
 12                  shall annually elect a vice chairman from among its members.

13                  I. The council shall meet at least quarterly and may meet upon the call of the  
 14                  chairman or any three members. Meetings of the council shall be open to the public  
 15                  in accordance with law.

16                  J. A vacancy on the council shall be filled in the same manner as the original  
 17                  appointment.

18                  K. Appointed members of the council shall serve four-year terms.

19                  L. The secretary shall provide the council with necessary clerical personnel.

20                  M. The council shall serve as an advisory body to the secretary on the  
 21                  administration of the program as authorized by this Part.

22                  §1199.5. Administration of program; purposes

23                  A. The secretary shall administer the provisions of this Part.

24                  B. The department shall operate the inmate rehabilitation and workforce  
 25                  development program for the following purposes:

26                  (1) To provide inmates with employment skills, job training, and  
 27                  employment once they have completed the program.

28                  (2) To develop a workforce of skilled craftsmen.

29                  (3) To provide inmates with the necessary substance abuse counseling,  
 30                  mentoring, and other programs to assist them in returning to their communities with

1           a focus on breaking the cycle of substance abuse, criminal behavior, and violence  
 2           that prevents them from moving forward with their lives.

3                     (4) To reduce the rate of recidivism by providing inmates with the necessary  
 4                     occupational training, educational opportunities, and substance abuse counseling to  
 5                     allow them to have meaningful alternatives to criminal behavior and substance  
 6                     abuse.

7                     C.(1) The department may enter into cooperative endeavors or contracts with  
 8                     and request studies or reports from private citizens, the Louisiana Department of  
 9                     Labor, the Louisiana Department of Education, and the Louisiana community and  
 10                    technical colleges in this state for the purpose of encouraging the development of  
 11                    training facilities to produce skilled craftsmen for employment in Louisiana  
 12                    industries.

13                    (2) Should the department enter into cooperative endeavors or contracts or  
 14                    receive studies or reports as provided in Paragraph (1) of this Subsection, it shall  
 15                    transmit the summary and the reports to the House Committee on Administration of  
 16                    Criminal Justice, the Senate Committee on Judiciary B, the Legislative Fiscal Office,  
 17                    and the persons or entities which made the recommendations by April first of each  
 18                    year.

19                    D. The department may enter into cooperative endeavors or contracts with  
 20                    the Louisiana Department of Labor, the Louisiana Department of Education, and the  
 21                    Louisiana community and technical colleges, educational institutions, training  
 22                    facilities, and employers to provide the intensive training programs necessary for  
 23                    proper certification or licensing of skilled craftsmen as authorized by the provisions  
 24                    of this Part.

25                    E. The department may enter into cooperative endeavors or contracts with  
 26                    service providers to provide substance abuse treatment and counseling or halfway  
 27                    housing to inmates who participate in the program.

28                    F. In the administration of this program, the secretary, with the assistance of  
 29                    the council shall:

1           (1) Make an annual report to the legislature regarding the program. The  
2           report shall include at a minimum:

3           (a) Recommendations for all needed changes in the law regarding the  
4           operation and administration of the program.

5           (b) A complete report on the receipt and expenditure of all funds received  
6           by the department for operation of the program.

7           (c) Comprehensive data regarding the number of inmates who are enrolled  
8           in the program, have graduated from the program, and who have been assigned to  
9           workforce development work release.

10          (2)(a) Establish, and modify as necessary, a plan of organization to  
11          administer the program efficiently and thoroughly.

12           (b) The plan of organization shall provide for the capacity to:

13           (i) Administer the granting of cooperative endeavors or contracts.

14           (ii) Analyze and review investigative and audit reports and findings.

15           (iii) Provide for enforcement of department rules or regulations as is  
16          necessary to provide for the efficient and thorough operation of the program.

17          (3) Approve, prior to its presentation to the legislature and after  
18          appropriation but prior to allocation, the budget for the administration and operation  
19          of the program.

20          (4) Issue a written response to any formal request from the governor and the  
21          legislature or any committee thereof.

22          (5) Appear before any committee of the legislature upon request of the  
23          president of the Senate, the speaker of the House, or the chairman of any legislative  
24          committee.

25          (6) Prepare and submit for review to the Joint Legislative Committee on the  
26          Budget on or before March first of each year an annual financial report which  
27          outlines the expenditures of all funds for the previous calendar year.

28          (7) Collect, prepare, and submit an annual report to the legislative auditor on  
29          June thirtieth each year.

1           G. The secretary shall coordinate with the secretary of the Louisiana  
 2           Department of Labor to ensure that the administration of the program as provided by  
 3           this Part and the programs administered by the Louisiana Department of Labor do  
 4           not provide duplicative or conflicting services to the same individuals. All efforts  
 5           shall be coordinated and consistent with R.S. 23:1 et seq.

6           §1199.6. Rulemaking

7           A.(1) The secretary, with the advice of the council, shall adopt rules  
 8           necessary to implement the provisions of this Part.

9           (2) In order to efficiently implement the provisions of this Part, if the  
 10          secretary has previously adopted rules or regulations which can be used to satisfy the  
 11          requirements of this Part, then the secretary shall not be required to adopt new or  
 12          duplicative rules or regulations. The secretary, with the advice of the council, may  
 13          designate previously adopted rules or regulations as sufficient to implement the  
 14          provisions of this Part.

15          B. The rules shall include but not be limited to:

16          (1) Guidelines and criteria for eligibility to participate in the program.

17          (2) Guidelines and criteria for continued participation and successful  
 18          completion of the program.

19          (3) Guidelines for proper documentation and certification or licensing for  
 20          work specialities upon completion of the program.

21          (4) Guidelines for transportation to and from work projects.

22          (5) Guidelines for the supervision, custody, and control of inmates  
 23          participating in the program.

24          (6) Guidelines for establishing necessary security and safety provisions  
 25          regarding participation in the program.

26          (7) Guidelines for the establishment and maintenance of inmate  
 27          compensation and savings accounts for participating in the program.

28          (8) Procedures and guidelines for monitoring the program, including annual  
 29          on-site audits.

30          (9) Qualifications and training of staff.



1                   (10) Guidelines for the workforce development work release program for  
2                   graduates of the inmate rehabilitation and workforce development program.

3                   (11) Guidelines for determining inmate selection for particular crafts in  
4                   accordance with this Part.

5                   (12) Criteria for the selection and authorization of educational institutions,  
6                   training facilities, and employers to provide intensive training programs necessary  
7                   for proper certification and licensing of skilled craftsmen.

8                   (13) Criteria for the selection and authorization of service providers to  
9                   provide substance abuse treatment and counseling or halfway housing to inmates  
10                  who participate in the program.

11                  (14) Guidelines for the administration of mandatory and random drug testing  
12                  for controlled dangerous substances in accordance with this Part.

13                  (15) Guidelines for removal from the program.

14                  C. All rules shall be adopted pursuant to the provisions of the Administrative  
15                  Procedure Act and shall be subject to legislative oversight by the House Committee  
16                  on the Administration of Criminal Justice and the Senate Committee on Judiciary B.  
17                  §1199.7. Inmate eligibility for program; prohibitions

18                  A. An inmate may be eligible for participation in the program for any of the  
19                  following:

20                  (1) The inmate is sentenced to the custody of the Department of Public  
21                  Safety and Corrections to serve seven years or less for a first or second offense for  
22                  possession of a controlled dangerous substance as provided for in the Uniform  
23                  Controlled Dangerous Substances Law.

24                  (2) The inmate is sentenced to the custody of the Department of Public  
25                  Safety and Corrections to serve seven years or less for a first or second offense for  
26                  distribution, dispensing, or possession with intent to produce, manufacture,  
27                  distribute, or dispense a controlled dangerous substance as provided for in the  
28                  Uniform Controlled Dangerous Substances Law.

1                   (3) The offender is sentenced to the custody of the Department of Public  
2                   Safety and Corrections to serve seven years or less for a nonviolent first felony  
3                   offense.

4                   B. Prior to acceptance into the program, an inmate shall submit to a drug test  
5                   for the presence of controlled dangerous substances administered by the department.  
6                   The inmate shall test negative for the presence of controlled dangerous substances  
7                   in order to be eligible for participation in the program.

8                   C. An inmate convicted of any of the following offenses shall not be eligible  
9                   for participation in the program:

10                   (1) A sex offense as defined in R.S. 15:541(14.1).

11                   (2) A crime of violence as defined in R.S. 14:2(B).

12                   (3) A habitual offender in accordance with R.S. 15:529.1.

13                   §1199.8. Eligible inmate selection and participation in program

14                   A. An inmate who is eligible to participate in the program as provided for  
15                   in R.S. 15:1199.7 may be considered for participation in the program if all of the  
16                   following occur:

17                   (1) The staff at the adult reception and diagnostic centers, after a thorough  
18                   evaluation, determines that the offender is suitable and appropriate for participation  
19                   in the program.

20                   (2) The secretary, or his designee, determines that the inmate meets the  
21                   guidelines and criteria established by rule for participation in the program.

22                   (3) The secretary, or his designee, after an evaluation, determines that the  
23                   inmate is particularly likely to respond affirmatively to participation in the program.

24                   (4) The inmate meets other conditions of participation or rules adopted as  
25                   provided by the provisions of this Part.

26                   (5) The inmate voluntarily enrolls in the program after having been advised  
27                   by the department of the rules and regulations governing participation in the  
28                   program.

29                   B. The participating inmate shall be evaluated by the program staff on a  
30                   continual basis. The evaluation shall include the performance of the inmate while

1 participating in the program, the likelihood of successful completion of the program,  
 2 the likelihood of successful employment following completion of the program, and  
 3 other factors deemed relevant by the secretary, the council, or the program staff. The  
 4 evaluation shall provide the basis for any recommendations by the department upon  
 5 the completion of the program by the inmate.

6 C. Violation of any departmental or program rules or regulations may subject  
 7 the inmate to removal from the program by the department.

8 §1199.9. Workforce development work release for graduates of program  
 9 administered by the department

10 A. Notwithstanding the provisions of R.S. 15:711 or 1111 or any other  
 11 provision of law to the contrary, an inmate who has graduated from the program and  
 12 obtained the proper certification or licensing as a skilled craftsman may participate  
 13 in a workforce development work release program administered by the department.

14 B. Workforce development work release shall be for inmates who have  
 15 graduated from the inmate rehabilitation and workforce development program and  
 16 have been certified or licensed as skilled craftsmen.

17 C. The department shall designate and adapt facilities for the purpose of  
 18 housing inmates with workforce development work release privileges, or it may  
 19 arrange and contract for other facilities, including but not limited to portions of  
 20 parish jails for inmates employed in the area.

21 D. Every inmate with workforce development work release privileges shall  
 22 be liable for the cost of his room, board, clothing, and other necessary expenses of  
 23 his employment or placement unless other means of payment are approved by the  
 24 department.

25 E. The wages of any inmate so employed shall be collected by the secretary  
 26 or his designated agent, shall be deposited in a public banking institution, and a  
 27 ledger showing the financial status of each inmate on the program shall be kept.

28 F. The wages of each inmate shall be disbursed by the department for the  
 29 following purposes and in the order stated:

30 (1) The expenses for the board of the inmate including food and clothing.

1                   (2) Necessary travel expenses to and from work and other incidental  
 2                   expenses of the inmate.

3                   (3) Any tuition, books, or other costs associated with the program which are  
 4                   required to be paid by participants in the program.

5                   (4) Any necessary fees for the examination for certification or licensing in  
 6                   a craft.

7                   (5) Any certification or licensing fees required to become a skilled  
 8                   craftsman.

9                   (6) Any court-ordered child support owed by the inmate. The support may  
 10                  be paid in installments approved by the department.

11                  (7) Any court-ordered restitution, or restitution owed to the department, or  
 12                  any other obligations acknowledged by the inmate in writing, or which have been  
 13                  reduced to judgment. The obligations may be paid in installments approved by the  
 14                  department.

15                  (8) Any drug testing as required by the provisions of this Part.

16                  (9) The balance, if any, to the inmate upon his discharge.

17                  G. The wages of an inmate so employed shall not be less than the customary  
 18                  wages for an employee performing similar services.

19                  H. Deductions for room, board, and other administrative costs resulting from  
 20                  participation in a workforce development work release program authorized by this  
 21                  Section shall not exceed seventy-five percent of the wages received by an inmate.

22                  §1199.10. Workforce development work release for graduates of the program  
 23                  administered by the sheriff

24                  A. The sheriff of each parish, and in Orleans Parish, the criminal sheriff, is  
 25                  hereby authorized to enter into a cooperative endeavor with the department to  
 26                  administer a workforce development work release program for inmates sentenced to  
 27                  the department who are confined in any jail or prison in his jurisdiction. In the event  
 28                  that the inmate is confined to a parish correctional facility not operated by the sheriff,  
 29                  the administrator of the correctional facility is hereby authorized to enter into a  
 30                  cooperative endeavor with the department to administer a workforce development

1 work release program for inmates sentenced to the department who are confined to  
2 a correctional facility in his jurisdiction, and "sheriff" as used herein shall also mean  
3 administrator of the correctional facility where the inmate is confined.

4 B.(1) Only an inmate who has graduated from the inmate rehabilitation and  
5 workforce development program and obtained the proper certification or licensing  
6 as a skilled craftsman may participate in a workforce development work release  
7 program administered by the sheriff.

8 (2) Eligibility for participation in workforce development work release as  
9 provided by this Section shall be determined by the provisions of this Part and any  
10 rules adopted by the department.

11 (3) Each sheriff may establish additional written rules for the administration  
12 of the workforce development work release program administered by his office.

13 C. The sheriff may enter into contracts with educational institutions, training  
14 facilities, and employers to provide the intensive training programs necessary for  
15 proper certification or licensing as a skilled craftsman as authorized by the  
16 provisions of this Part.

17 D. Every inmate with workforce development work release privileges shall  
18 be liable for the cost of his room, clothing, and other necessary expenses of his  
19 employment or placement unless other means of payment are approved by the  
20 department.

21 E. The wages of any inmate so employed shall be collected by the sheriff or  
22 his designated agent and shall be deposited in a public banking institution, and a  
23 ledger showing the financial status of each inmate shall be kept.

24 F. The wages of each inmate shall be disbursed by the sheriff for the  
25 following purposes and in the order stated:

26 (1) The expenses of the board of the inmate including food and clothing.

27 (2) Necessary travel expenses to and from work and other incidental  
28 expenses of the inmate.

29 (3) Any tuition, books, or other costs associated with the program which are  
30 required to be paid by participants in the program.

1                   (4) Any necessary fees for the examination for certification or licensing in  
2                   a craft.

3                   (5) Any certification or licensing fees required to become a skilled  
4                   craftsman.

5                   (6) Any court-ordered child support owed by the inmate. The support may  
6                   be paid in installments approved by the department.

7                   (7) Any court-ordered restitution, or restitution owed to the department, or  
8                   any other obligations acknowledged by the inmate in writing, or which have been  
9                   reduced to judgment. The obligations may be paid in installments approved by the  
10                  department.

11                  (8) Any drug testing as required by the provisions of this Part.

12                  (9) The balance, if any, to the inmate upon his discharge.

13                  G. The wages of an inmate so employed shall not be less than the customary  
14                  wages for an employee performing similar services.

15                  H. Deductions for room, board, and other administrative costs resulting from  
16                  participation in a workforce development work release program authorized by this  
17                  Section shall not exceed seventy-five percent of the wages received by an inmate.

18                  §1199.11. Traditional work release programs not affected

19                  Participation in workforce development work release programs as authorized  
20                  by the provisions of R.S. 15:1199.9 and 1199.10 shall not be construed to prohibit  
21                  an inmate from participating in a work release program authorized by the provisions  
22                  of R.S. 15:711 or 1111 if the inmate is otherwise eligible for participation. However,  
23                  only those inmates who have graduated from the program and have been certified or  
24                  licensed as skilled craftsmen may participate in workforce development work release  
25                  as authorized by the provisions of R.S. 15:1199.9 and 1199.10.

26                  §1199.12. Program duration; development; selection of craft

27                  A. The program shall be designed to last for two years.

28                  B. The department, with advice from the council, shall assist each inmate in  
29                  selecting a craft as provided for in this Part.

1           C. The pairing of the inmate with a particular craft shall be determined by  
2           all of the following:

3                   (1) The skills, interests, and abilities of the inmate. This shall include actual  
4                   demonstration and simulation of the respective crafts.

5                   (2) Likelihood of successful job placement and opportunity upon graduation  
6                   from the program, including the need for particular craftsmen at the time the inmate  
7                   enters the program.

8                   (3) The availability of training facilities, instructors, and the number of  
9                   inmates enrolled for particular crafts.

10                  D.(1) Eligible inmates who have been admitted to the program shall  
11                  participate in a one-year intensive training program in a selected craft.

12                   (2) Upon completion of the one-year intensive training program, the inmate  
13                   shall qualify for any necessary examination to become a skilled craftsman.

14                   (3) The inmate shall take any necessary examination required for  
15                   certification or licensing as a skilled craftsman.

16                   (4) Upon successful completion of any certification or licensing as a skilled  
17                   craftsman, the inmate shall begin a one-year workforce development work release  
18                   program.

19                  E. Upon completion of the one-year workforce development work release  
20                  program, the inmate shall be placed upon supervised parole for the remainder of his  
21                  sentence. It shall be a condition of the inmate's supervised parole that he maintain  
22                  employment as a skilled craftsman at a location approved by the department.

23                  §1199.13. Removal from program

24                  A. An inmate may be removed from the program for any of the following:

25                   (1) Willful failure to comply with the rules of the program.

26                   (2) Willful failure to participate in any educational or skills development  
27                   component of the program.

28                   (3) Any action taken which results in disciplinary proceedings by the  
29                   department.

1                   (4) Failure to take examinations necessary to receive certification or  
2                   licensing as a skilled craftsman.

3                   (5) Failure to submit to random drug testing as provided for by the  
4                   department.

5                   (6) Testing positive for any controlled dangerous substances as provided for  
6                   by the provisions of this Part.

7                   (7) Any other reason deemed by the department to render the inmate  
8                   ineligible to complete the program.

9                   B. Removal from the program shall be at the discretion of the department  
10                  based upon criteria developed by rules or regulations adopted by the department.

11                  C. An inmate removed from the program shall be returned to the custody of  
12                  the department for the remainder of his sentence.

13                  D. An inmate removed from the program shall forfeit any diminution of  
14                  sentence or good time earned as a result of participation in the program.

15                  §1199.14. Substance abuse treatment and counseling

16                  A. The department may enter into cooperative endeavors or contracts with  
17                  the Department of Health and Hospitals, educational institutions, training facilities,  
18                  and service providers to provide for substance abuse treatment and counseling for  
19                  inmates participating in the program.

20                  B. The department with the assistance of the council shall determine the  
21                  amount of substance abuse treatment and counseling that inmates who participate in  
22                  the program shall receive.

23                  §1199.15. Authorized providers for intensive training

24                  The department, with the assistance of the council, shall develop a list of  
25                  educational institutions, training facilities, and employers authorized to provide  
26                  intensive training programs necessary for proper certification and licensing of skilled  
27                  craftsmen as authorized by the provisions of this Part.



1           §1199.16. Drug testing

2                   A. Once an inmate is accepted into the program, the inmate agrees to random  
3                   drug testing to verify that he is drug free. Random drug testing shall be performed  
4                   in accordance with rules or regulations adopted by the department.

5                   B. If an inmate tests positive for a controlled dangerous substance as  
6                   provided for in Subsection A of this Section, he may be removed from the program  
7                   and returned to the custody of the department for the remainder of his sentence.

8           Section 2. This Act shall become effective upon signature by the governor or, if not  
9           signed by the governor, upon expiration of the time for bills to become law without signature  
10           by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
11           vetoed by the governor and subsequently approved by the legislature, this Act shall become  
12           effective on the day following such approval.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_