

5598

2009-2010 Regular Sessions

I N A S S E M B L Y

February 13, 2009

Introduced by M. of A. AUBRY -- read once and referred to the Committee
on Correction

CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY

proposing an amendment to article 3 of the constitution, in relation to
allowing that the legislature may allow prisoners to voluntarily
perform work for nonprofit organizations

1 Section 1. Resolved (if the Senate concur), That section 24 of article
2 3 of the constitution be amended to read as follows:
3 S 24. The legislature shall, by law, provide for the occupation and
4 employment of prisoners sentenced to the several state prisons, peniten-
5 tiaries, jails and reformatories in the state; and no person in any such
6 prison, penitentiary, jail or reformatory, shall be required or allowed
7 to work, while under sentence thereto, at any trade, industry or occupa-
8 tion, wherein or whereby his or her work, or the product or profit of
9 his or her work, shall be farmed out, contracted, given or sold to any
10 person, firm, association or corporation, PROVIDED THAT THE LEGISLATURE
11 MAY PROVIDE BY LAW THAT SUCH PRISONERS MAY VOLUNTARILY PERFORM WORK FOR
12 NONPROFIT ORGANIZATIONS. AS USED IN THIS SECTION, THE TERM "NONPROFIT
13 ORGANIZATION" MEANS AN ORGANIZATION OPERATED EXCLUSIVELY FOR RELIGIOUS,
14 CHARITABLE, OR EDUCATIONAL PURPOSES, NO PART OF THE NET EARNINGS OF
15 WHICH INURES TO THE BENEFIT OF ANY PRIVATE SHAREHOLDER OR INDIVIDUAL.
16 This section shall not be construed to prevent the legislature from
17 providing that convicts may work for, and that the products of their
18 labor may be disposed of to, the state or any political division there-
19 of, or for or to any public institution owned or managed and controlled
20 by the state, or any political division thereof.
21 S 2. Resolved (if the Senate concur), That the foregoing amendment be
22 submitted to the people for approval at the general election to be held
23 in the year 2009 in accordance with the provisions of the election law.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

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