

FIRST REGULAR SESSION

[PERFECTED]

SENATE BILL NO. 128

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR BROWN.

1113S.01P

ADRIANE D. CROUSE, Secretary

AN ACT

To repeal section 217.195, RSMo, and to enact in lieu thereof three new sections relating to the inmate canteen fund, with an emergency clause for certain sections.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 217.195, RSMo, is repealed and three
2 new sections enacted in lieu thereof, to be known as sections
3 217.195, 217.199, and 221.065, to read as follows:

217.195. 1. With the approval of [his division
2 director] **the director of the department of corrections**, the
3 chief administrative officer of any correctional center
4 operated by the division may establish and operate a canteen
5 or commissary for the use and benefit of the offenders.

6 2. [Each correctional center shall keep revenues
7 received from the canteen or commissary established and
8 operated by the correctional center in a separate account]
9 **The "Inmate Canteen Fund" is hereby established in the state**
10 **treasury and shall consist of funds received from the**
11 **operation of the inmate canteens.** The acquisition cost of
12 goods sold and other expenses shall be paid from this
13 account. A minimum amount of money necessary to meet cash
14 flow needs and current operating expenses may be kept in
15 this [account] **fund.** The [remaining funds from sales of
16 each commissary or canteen shall be deposited monthly in a
17 special fund to be known as the "Inmate Canteen Fund" which

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 is hereby created and shall be expended by the appropriate
19 division, for the benefit of] **proceeds generated from the**
20 **operation of the inmate canteens shall be expended solely**
21 **for any of the following, or combination thereof:** the
22 offenders in the improvement of recreational, religious,
23 [or] educational services, **or reentry services. All interest**
24 **earned by the fund shall be credited to the fund and shall**
25 **be used solely for the purposes described in this section.**
26 The provisions of section 33.080 to the contrary
27 notwithstanding, [the] **any money remaining** in the inmate
28 canteen fund **at the end of the biennium** shall be retained
29 for the purposes specified in this section and shall not
30 revert **to the credit of** or be transferred to general
31 revenue. [The department shall keep accurate records of the
32 source of money deposited in the inmate canteen fund and
33 shall allocate appropriations from the fund to the
34 appropriate correctional center.]

217.199. 1. **As used in this section, the following**
2 **terms mean:**

3 (1) **"Appropriate quantity", an amount per day capable**
4 **of satisfying the individual need of the offender if used**
5 **for the feminine hygiene product's intended purpose;**

6 (2) **"Feminine hygiene products", tampons and sanitary**
7 **napkins.**

8 2. **The director shall ensure that an appropriate**
9 **quantity of feminine hygiene products are available at no**
10 **cost to female offenders while confined in any correctional**
11 **center of the department. The director shall ensure that**
12 **the feminine hygiene products conform with applicable**
13 **industry standards.**

14 3. The general assembly may appropriate funds to
15 assist the director in satisfying the requirements of this
16 section.

 221.065. 1. As used in this section, the following
2 terms mean:

3 (1) "Appropriate quantity", an amount of feminine
4 hygiene products per day capable of satisfying the
5 individual need of the offender if used for the feminine
6 hygiene product's intended purpose;

7 (2) "Feminine hygiene products", tampons and sanitary
8 napkins.

9 2. Every sheriff and jailer who holds a person in
10 custody pursuant to a writ or process or for a criminal
11 offense shall ensure that an appropriate quantity of
12 feminine hygiene products are available at no cost to female
13 persons while in custody. The sheriff or jailer shall
14 ensure that the feminine hygiene products conform with
15 applicable industry standards.

16 3. The general assembly shall appropriate funds to
17 assist sheriffs and jailers in satisfying the requirements
18 of this section.

 Section B. Because immediate action is necessary to
2 ensure women incarcerated or held in custody are able to
3 address their basic health needs, the enactment of sections
4 217.199 and 221.065 of this act is deemed necessary for the
5 immediate preservation of the public health, welfare, peace,
6 and safety and is hereby declared to be an emergency act
7 within the meaning of the constitution, and the enactment of
8 sections 217.199 and 221.065 of this act shall be in full
9 force and effect upon its passage and approval.

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