



ADMINISTRATIVE RULES OF MONTANA



20.13.103 INMATE WORKER SAVINGS SUBACCOUNT

- (1) Inmates incarcerated in a state prison shall be subject to a minimum 20% savings deduction from their monthly earnings, which will be held in trust for each inmate and accounted for in savings subaccounts on the department trust accounting system.
- (2) The savings deduction will be applied to an inmate's monthly earnings after accounting for all mandatory obligations. If taking a monthly savings deduction will render the inmate indigent as defined in department policy, no savings will be deducted for that month.
- (3) For purposes of this rule, "monthly earnings":
 - (a) include funds received from the department for education, treatment, or work assignments;
 - (b) exclude funds received from outside sources including family and proceeds from hobby sales.
- (4) Funds transferred to savings subaccounts will not be subject to additional deductions for child support or other obligations under 53-1-107(2), MCA.
- (5) An inmate serving a life sentence without the possibility of parole may request the department to return funds deducted from the inmate's earnings and set aside in the savings subaccount.
- (6) Funds in the savings subaccount may be used prior to release to pay re-entry expenses. All re-entry expenses to be paid prior to an inmate's release must be requested by the inmate in writing and approved by a designated department employee.
- (7) Upon release from custody, the department shall return the balance of an inmate's savings subaccount to the inmate.

Authorizing statute(s): 53-1-107, MCA

Implementing statute(s): 53-1-107, MCA

History: NEW, 2017 MAR p. 286, Eff. 3/11/17.