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*Bill Analysis*  
Legislative Service Commission

## **H.B. 196**

125th General Assembly  
(As Introduced)

**Reps. Carano, Redfern, Allen, Otterman, Miller, Cirelli, D. Stewart, Sferra, Strahorn, Ujvagi, DeBose, Boccieri**

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### **BILL SUMMARY**

- Prohibits, in the case of public improvement projects subject to competitive bidding and in the case of any job in the private sector, any prisoner in the custody of the Department of Rehabilitation and Correction from being employed in a job in the construction industry or in any type of job that offers an apprenticeship program that is subject to the Apprenticeship Law.

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### **CONTENT AND OPERATION**

#### **Current law**

Current law requires the Department of Rehabilitation and Correction to establish work programs in some form of labor for specified prisoners who are in its custody. The labor may be in (1) the Department's manufacturing and service industries and agriculture, (2) private industry or agriculture located within or outside the Department's institutions, (3) public works, (4) institutional jobs necessary for the proper maintenance and operation of the Department's institutions, or (5) any other appropriate form. (R.C. 5145.16(A).) The program for the employment of these prisoners must be administered in accordance with various statutory requirements and with rules the Department adopts (R.C. 5145.161(A)).

#### **Changes proposed by the bill**

The bill prohibits, in the case of public improvement projects subject to competitive bidding and in the case of any job in the private sector, any prisoner from being employed in a job in the construction industry or in any type of job that offers an apprenticeship program that is subject to the Apprenticeship Law (R.C.

5145.03(B)(1), 5145.16(A) and (C), and 5145.161(A)(7)).<sup>1</sup> Although the bill does not change a provision of current law that allows the Department to employ prisoners in the preparation and manufacture of any or all forms of road-making material for use in the construction, improvement, maintenance, and repair of highways, roads, and streets, it does prohibit the Department (1) from employing any prisoner in the actual construction, improvement, maintenance, or repair of any highway, road, or street and (2) from employing any prisoner in any type of job that offers an apprenticeship program that is subject to the above-described prohibition (R.C. 5145.15).

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## HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	05-20-03	p. 491

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<sup>1</sup> "Apprentice" means a person who is at least 16 years old and who is covered by an apprenticeship agreement that is registered with the Ohio State Apprenticeship Council and that provides for not less than 2,000 hours of reasonably continuous employment, and for participation in an approved schedule of work experience through employment, which must be supplemented by a minimum of 144 hours per year of related and supplemental instruction (R.C. 4139.01, not in the bill).