

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 431

Short Title: Correction Enterprise and Workers' Comp. (Public)

Sponsors: Senators Sanderson (Primary Sponsor); and Rabin.

Referred to: Rules and Operations of the Senate

March 29, 2017

A BILL TO BE ENTITLED

AN ACT TO CLARIFY WHICH INMATES ARE DEFINED AS PRISONERS FOR THE
PURPOSES OF WORKERS' COMPENSATION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 97-13(c) reads as rewritten:

"(c) Prisoners. – This Article shall not apply to prisoners being worked by the State or any subdivision thereof, except to the following extent: Whenever any prisoner assigned to the Division of Adult Correction of the Department of Public Safety shall suffer accidental injury or accidental death arising out of and in the course of the employment to which he had been assigned, if there be death or if the results of such injury continue until after the date of the lawful discharge of such prisoner to such an extent as to amount to a disability as defined in this Article, then such discharged prisoner or the dependents or next of kin of such discharged prisoner may have the benefit of this Article by applying to the Industrial Commission as any other employee; provided, such application is made within 12 months from the date of the discharge; and provided further that the maximum compensation to any prisoner or to the dependents or next of kin of any deceased prisoner shall not exceed thirty dollars (\$30.00) per week and the period of compensation shall relate to the date of his discharge rather than the date of the accident. If any person who has been awarded compensation under the provisions of this subsection shall be recommitted to prison upon conviction of an offense committed subsequent to the award, such compensation shall immediately cease. Any awards made under the terms of this subsection shall be paid by the Department of Public Safety from the funds available for the operation of the Division of Adult Correction of the Department of Public Safety. The provisions of G.S. 97-10.1 and 97-10.2 shall apply to prisoners and discharged prisoners entitled to compensation under this subsection and to the State in the same manner as said section applies to employees and employers. This subsection applies to all inmates except those employed pursuant to Article 14 of Chapter 148 of the General Statutes, G.S. 148-128 through G.S. 148-134. Inmates employed pursuant to the Prison Industry Enhancement Program shall receive workers' compensation pursuant to G.S. 97-2(5)."

SECTION 2. This act is effective when it becomes law.

