

SENATE BILL No. 328

By Senators Hensley and Denning

1-24

1 AN ACT concerning correctional institutions and juvenile correctional
2 facilities; prohibiting the outsourcing or privatization of any *security*
3 operations ~~or facilities~~ thereof; allowing existing contracts to be
4 renewed.

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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. (a) ***(1)*** Notwithstanding any other provision of law, no state
8 agency shall enter into any agreement or take any action to outsource or
9 privatize any *security* operations ~~or facilities~~ of any correctional
10 institution, as defined by K.S.A. 75-5202, and amendments thereto, or
11 juvenile correctional facility, as defined by K.S.A. 2017 Supp. 38-2302,
12 and amendments thereto, that is operated by a state agency without prior
13 specific authorization by an act of the legislature or an appropriation act of
14 the legislature. The restriction imposed by this subsection applies to any
15 action to outsource or privatize all or any part of any *security* operation or
16 ~~facility~~ ***job classifications and duties associated with a security operation***
17 of such correctional institution or juvenile correctional facility.

18 ***(2)*** ***For the purposes of this section, "security operations" shall***
19 ***include the supervision of inmates in a correctional institution or***
20 ***juvenile correctional facility by a corrections officer or warden as those***
21 ***terms are defined in K.S.A. 75-5202, and amendments thereto, or any***
22 ***other position that is part of security operations as identified in rules and***
23 ***regulations adopted by the secretary.***

24 ***(3)*** ***The secretary of corrections may adopt rules and regulations to***
25 ***identify job classifications and duties that are part of the security***
26 ***operations of a correctional institution or juvenile correctional facility.***

27 (b) Nothing in this section shall prevent the department of corrections
28 from renewing, in substantially the same form as an existing agreement,
29 any agreement in existence prior to January 1, 2018, for services at such
30 correctional institution or juvenile correctional facility.

31 (c) Nothing in this section shall prevent the department of corrections
32 from entering into an agreement for services at such correctional
33 institution or juvenile correctional facility with a different provider if such
34 agreement is substantially similar to an agreement for services in existence
35 prior to January 1, 2018.

36 Sec. 2. This act shall take effect and be in force from and after its

- 1 publication in the Kansas register.