

HOUSE BILL No. 2214

By Committee on Corrections and Juvenile Justice

1-30

1 AN ACT concerning the department of corrections; relating to facilities;
2 changing the name of the Larned correctional mental health facility to
3 the Larned state correctional facility; removing references to facilities
4 that no longer exist; amending K.S.A. 75-5202 and K.S.A. 2022 Supp.
5 75-52,167 and repealing the existing sections.

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

8 Section 1. K.S.A. 75-5202 is hereby amended to read as follows: 75-
9 5202. As used in K.S.A. 75-5201 et seq., and amendments thereto, unless
10 the context clearly requires otherwise:

11 (a) "Secretary" means the secretary of corrections.

12 (b) "Prisoner review board" means the prisoner review board
13 established by K.S.A. 75-52,152, and amendments thereto.

14 (c) "Inmate" means any person incarcerated in any correctional
15 institution of the state of Kansas.

16 (d) "Correctional institution" means the Lansing correctional facility,
17 Hutchinson correctional facility, Topeka correctional facility, Norton
18 correctional facility, Ellsworth correctional facility, Winfield correctional
19 facility, ~~Oswatimie correctional facility~~, Larned *state* correctional-mental
20 health facility, ~~Toronto correctional work facility~~, Stockton correctional
21 facility, Wichita work release facility, El Dorado correctional facility, *any*
22 *juvenile correctional facility or institution as defined in K.S.A. 38-2302,*
23 *and amendments thereto*, and any other correctional institution established
24 by the state for the confinement of *adult or juvenile* offenders under *the*
25 control of the secretary of corrections.

26 (e) "Warden" means the person in charge of the operation and
27 supervision of a correctional institution.

28 (f) "Corrections officer" means a full-time, salaried officer or
29 employee under the jurisdiction of the secretary, whose duties include the
30 receipt, custody, control, maintenance, discipline, security and
31 apprehension of persons convicted of criminal offense in this state and
32 sentenced to a term of imprisonment under the custody of the secretary.

33 (g) "Parole officer" means a full-time salaried officer or employee
34 under the jurisdiction of the secretary whose duties include:

35 (1) Investigation, supervision, arrest and control of persons on parole
36 or postrelease supervision and the enforcement of the conditions of parole

1 or postrelease supervision; and

2 (2) services ~~which~~ *that* relate to probationers, parolees or persons on
3 postrelease supervision and are required by the uniform act for out-of-state
4 parolee supervision.

5 Sec. 2. K.S.A. 2022 Supp. 75-52,167 is hereby amended to read as
6 follows: 75-52,167. As used in K.S.A. 75-3739, and amendments thereto,
7 and K.S.A. 2022 Supp. 75-52,167 through 75-52,171, and amendments
8 thereto:

9 (a) "Private entity" means any partnership, firm, association,
10 corporation, sole proprietorship or other business organization, whether
11 organized for profit or not-for-profit and includes any faith-based
12 organization.

13 (b) "Secretary" means the secretary of corrections.

14 (c) "Public-private partnership" means the relationship established
15 between the department of corrections and a private entity by contracting
16 for the performance of any combination of specified functions or
17 responsibilities to develop, finance, construct or renovate a building at a
18 correctional institution where the department of corrections cost for
19 development, finance, construction or renovation of such building does not
20 exceed 25% of the total cost of the developing, financing, constructing or
21 renovating such building.

22 (d) ~~"Correctional institution" means the Lansing correctional facility,
23 Hutchinson correctional facility, Topeka correctional facility, Norton
24 correctional facility, Ellsworth correctional facility, Winfield correctional
25 facility, Osawatomic correctional facility, Larned correctional mental
26 health facility, Toronto correctional work facility, Stockton correctional
27 facility, Wichita work release facility, El Dorado correctional facility, any
28 juvenile correctional facility or institution as defined in K.S.A. 38-2302,
29 and amendments thereto, and any other correctional institution established
30 by the state for the confinement of adult or juvenile offenders under
31 control of the secretary same as defined in K.S.A. 75-5202, and
32 amendments thereto.~~

33 (e) "Public-private project" means the project to develop, finance,
34 construct or renovate a building at a correctional institution pursuant to a
35 public-private partnership.

36 (f) "Faith-based organization" means any religious, charitable ~~and~~ *or*
37 other organization ~~as defined by~~ *described in* article 17 of chapter 17 of
38 the Kansas Statutes Annotated, and amendments thereto, or any other
39 organization whose values are based on faith and beliefs, or both, that has
40 a mission based on social values of the particular faith and whose
41 members are from a particular faith group.

42 (g) "Spiritual needs" means any program or service that addresses any
43 issue related to sincerely held religious beliefs.

1 Sec. 3. K.S.A. 75-5202 and K.S.A. 2022 Supp. 75-52,167 are hereby
2 repealed.

3 Sec. 4. This act shall take effect and be in force from and after its
4 publication in the statute book.