

**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, ~~Oswatomie 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~~ ***Kansas register***.