

SENATE BILL No. 328

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

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

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

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

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

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

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

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

I hereby certify that the above BILL originated in the SENATE, and passed that body

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SENATE adopted  
Conference Committee Report \_\_\_\_\_

\_\_\_\_\_  
*President of the Senate.*

\_\_\_\_\_  
*Secretary of the Senate.*

Passed the HOUSE  
as amended \_\_\_\_\_

HOUSE adopted  
Conference Committee Report \_\_\_\_\_

\_\_\_\_\_  
*Speaker of the House.*

\_\_\_\_\_  
*Chief Clerk of the House.*

APPROVED \_\_\_\_\_

\_\_\_\_\_  
*Governor.*