Regular Session, 2014

HOUSE BILL NO. 662

BY REPRESENTATIVE PYLANT

CONTRACTS: Requires legislative authorization for any proposed new contract or contract renewal between a private prison contractor and the Department of Public Safety and Corrections or a local government

1	AN ACT
2	To amend and reenact R.S. 39:1800.4(A) and (F), relative to public contracts; to provide
3	with respect to certain contracts between a private prison contractor and the
4	Department of Public Safety and Corrections or a local government; to provide
5	relative to legislative authorization for certain contracts; to require the provision of
6	certain information to the legislature; to provide for effectiveness; and to provide for
7	related matters.
8	Be it enacted by the Legislature of Louisiana:
9	Section 1. R.S. 39:1800.4(A) and (F) are hereby amended and reenacted to read as
10	follows:
11	§1800.4. State and local corrections facilities; private contracts
12	A. The department and local governmental subdivisions are hereby
13	authorized to enter into contracts with prison contractors for the financing, acquiring,
14	designing, leasing, constructing, and operating of facilities pursuant to specific
15	authority granted by the legislature for each proposed new contract or contract
16	renewal in accordance with the provisions of Subsection F of this Section.
17	* * *
18	F. (1) No proposed new contract or contract renewal shall be entered into
19	pursuant to this Chapter unless it has been authorized pursuant to a specific

1	legislative instrument approved by two-thirds vote of the elected members of each
2	house of the legislature. For purposes of consideration of such instrument, the
3	department or local government seeking the contract shall provide members of the
4	legislature with a summary document which includes the following information with
5	regard to the proposed contract: contractor's name, duration and amount of the
6	contract, the contractor's prior or existing contracts with the department or a local
7	government in Louisiana and the duration of same, expected occupancy rates,
8	staffing ratios, employee compensation, type of prisoners to be housed, sources of
9	prisoners to be housed, and programs to be offered to prisoners. This Paragraph shall
10	not be interpreted to require legislative approval of a contract.
11	(2) No new contract or contract renewal shall be entered into pursuant to this
12	Chapter unless the contract is approved by the Joint Legislative Committee on the
13	Budget.
14	* * *
15	Section 2. This Act shall become effective upon signature by the governor or, if not
16	signed by the governor, upon expiration of the time for bills to become law without signature
17	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
18	vetoed by the governor and subsequently approved by the legislature, this Act shall become
19	effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Pylant

HB No. 662

Abstract: Requires legislative authorization for proposed contracts between private prison contractors and the Dept. of Public Safety and Corrections or a local government.

<u>Present law</u> authorizes and provides with respect to contracts between private prison contractors and the Dept. of Public Safety and Corrections or local governments for the design, construction, and operation of correctional facilities.

<u>Present law</u> requires prior approval of all such contracts by the Joint Legislative Committee on the Budget.

<u>Proposed law</u> retains the requirement for the approval of contracts by the Joint Legislative Committee on the Budget, and adds provisions for legislative authorization for each proposed new contract or contract renewal by a legislative instrument approved by two-thirds vote of the elected members of each house of the legislature.

<u>Proposed law</u> requires information to be provided to the members of the legislature by the Dept. of Public Safety and Corrections or the local government seeking the contract regarding the contractor and contract, the contractor's history in La., staffing ratios, employee compensation, types and sources of prisoners, and programs for prisoners.

<u>Proposed law</u> shall not be interpreted to require legislative approval of a contract.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 39:1800.4(A) and (F))