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## DIGEST

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Pylant

HB No. 942

**Abstract:** Requires the development and approval of a plan for additional housing for individuals in the custody of the Dept. of Public Safety and Corrections before an expansion of a state facility or contract for housing with a local or private corrections facility.

Proposed law requires that before there is an expansion of a state correctional facility or a contract or other agreement with a local or private correction facility for the housing of individuals in the custody of the Department of Public Safety and Corrections ("department"), the secretary of the department ("secretary"), shall prepare a detailed analysis reflecting the need for the expansion, as well as a recommended plan to remedy the shortage of housing, hereinafter referred to as "plan".

Proposed law provides for the criteria and elements to be considered in the analysis and plan, which include an assessment of current resources and the sufficiency of those resources to allow compliance with established standards for the treatment, training, and security of the population being housed. Options must be considered for the expansion by way of either a state facility, a contract or other agreement with a local correctional facility, and a contract or other agreement with a private correctional facility. Costs associated with feeding and housing individuals, costs associated with employment of qualified personnel to properly secure and maintain the facility, and the availability of facilities to provide adequate health care for aged or infirm inmates are factors required to be considered in development of the plan.

Proposed law requires the plan to be submitted to both the House Committee on Administration of Criminal Justice and Senate Committee Judiciary C for approval. If no action is taken by either committee within 90 days of receipt of the plan, the plan shall be deemed approved.

Present law authorizes state and local government contracts with private prison contractors for the design, construction, and operation of correctional facilities. Present law provides for definitions, contract requirements, and powers and duties not delegable to contractors. Present law further prohibits any contract that has not been approved by the Joint Legislative Committee on the Budget.

Proposed law retains present law and requires that any contract by the department reflect the recommended plan approved by the House Committee on Administration of Criminal Justice or Senate Committee Judiciary C, and that any contract submitted for approval by the Joint Legislative Committee on the Budget be accompanied by a copy of the plan.

Effective on July 1, 2014.

(Amends R.S. 39:1800.4(A) and (F); Adds R.S. 15:834.2)