

**SENATE BILL No. 328**

By Senators Hensley and Denning

1-24

1 AN ACT concerning correctional institutions and juvenile correctional  
2 facilities; prohibiting the outsourcing or privatization of any operations  
3 or facilities thereof; allowing existing contracts to be renewed.  
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5 *Be it enacted by the Legislature of the State of Kansas:*

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

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

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

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