House Substitute for SENATE BILL No. 420

As Act concerning children and minors; relating to juvenile offenders; authorizing the secretary of corrections to allow juvenile offenders to leave a juvenile correctional facility for certain types of programming and educational activities; amending K.S.A. 75-7062 and repealing the existing section.

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

Section 1. K.S.A. 75-7062 is hereby amended to read as follows:

Section 1. K.S.A. 75-7062 is hereby amended to read as follows:

(a) All jurisdiction, powers, functions and duties relating to juvenile correctional facilities and institutions as defined in K.S.A. 38-2302, and amendments thereto, are conferred and imposed upon the secretary of corrections to be administered within the department of corrections as provided by K.S.A. 75-7057 through 75-7071, and amendments thereto.

(b) The secretary of corrections may adopt rules and regulations for the government, regulation and operation of such institutions. The secretary of corrections may adopt rules and regulations relating to all persons admitted to such institutions.

(c) The secretary of corrections may enter into an educational services contract with a unified school district, another public educational services provider or a private educational services provider for an institution pursuant to competitive bids or by negotiation as determined by the secretary of corrections. Each such educational services contract is exempt from the competitive bid requirements of K.S.A. 75-3739, and amendments thereto.

(d) The secretary of corrections shall not issue a pass, furlough or leave to any juvenile placed in an institution except as a facility unless needed for such juvenile to obtain medical services or to reintegrate such juvenile into the community. If any juvenile is issued a pass, furlough or leave, such juvenile shall be accompanied by a staff member or other designated adult unless the juvenile meets the appropriate classification as defined by policies and procedures adopted by the department. The secretary of corrections is authorized to establish a work release program or an educational release program for juveniles. If the secretary or the secretary's designee finds that a juvenile meets the criteria for such release programs and is capable of receiving substantial benefit from educational or vocational programs that are not available within the facility, the juvenile may attend such release programs outside of the facility. The secretary shall develop policies and procedures to ensure adequate oversight, supervision and accountability of the juvenile, including communication with community providers related to the juvenile.

(e) The secretary of corrections shall implement an institutional security plan designed to prevent escapes and to prohibit contraband and unauthorized access to the institution and, within the limits of appropriations, construct perimeter fencing as required by the institutional security plan.

(f) The secretary of corrections, by rules and regulations, shall establish a rigid grooming code and shall issue uniforms to juvenile offenders in an institution.

(g) The Larned juvenile correctional facility shall be under the supervision and control of the secretary of corrections in accordance with K.S.A. 76-3203, and amendments thereto.

(h) The Kansas juvenile correctional complex shall be under the supervision and control of the secretary of corrections in accordance with K.S.A. 76-3203, and amendments thereto.

(i) The department of corrections shall be the successor in every way to the jurisdiction, powers, duties, and functions of the juvenile justice authority pertaining to the programs and operation of juvenile correctional facilities and institutions. Every act performed in the exercise of such transferred powers, duties, and functions by or under
the authority of the department of corrections shall be deemed to have
the same force and effect as if performed by the juvenile justice
authority in which such powers, duties, and functions were vested prior

to the effective date of K.S.A. 75-7057 through 75-7071, and

amendments thereto July 1, 2013.

Sec. 2. K.S.A. 75-7062 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its
publication in the statute book.

I hereby certify that the above Bill originated in the

SENATE, and passed that body

SENATE adopted
Conference Committee Report

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President of the Senate.

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Secretary of the Senate.

Passed the HOUSE
as amended

HOUSE adopted
Conference Committee Report

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Speaker of the House.

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Chief Clerk of the House.

APPROVED

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Governor.