

House Substitute for SENATE BILL No. 420

AN 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: 75-7062. (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~~ *facilities*.

(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~~ *a facility* 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 facility~~ security plan designed to prevent escapes and to prohibit contraband and unauthorized access to the ~~institution~~ *facility* and, within the limits of appropriations, construct perimeter fencing as required by the ~~institutional facility~~ 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~~ *a facility*.

(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 _____

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.