

ACT No. 561

2016 Regular Session

HOUSE BILL NO. 994

BY REPRESENTATIVE PYLANT

1 AN ACT

2 To amend and reenact R.S. 39:1800.4(A) and (F) and to enact R.S. 15:834.2, relative to
3 correctional facilities; to provide with respect to expansions of and contracts for
4 additional housing of individuals in the custody of the state; to require plans for the
5 expansion of state housing; to provide requirements for contracts for housing by
6 local governmental or private contractors; to require the submission of certain plans
7 and other information for legislative approval; to provide for an effective date; and
8 to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 15:834.2 is hereby enacted to read as follows:

11 §834.2. Plan for expansion of existing space or contracts for additional housing of
12 individuals in the custody of the department; legislative approval

13 A. Before the execution of any agreement or contract for the expansion of
14 space for the housing of individuals in the custody of the department, either through
15 improvements to an existing facility or construction of a new state facility, or
16 through a contract or other agreement with a local government facility or private
17 contractor, the secretary of the Department of Public Safety and Corrections,
18 hereinafter referred to as "secretary", shall prepare a detailed analysis reflecting the
19 need for the expansion as well as a recommended plan to remedy the shortage of
20 housing, hereinafter referred to as "the plan". The secretary shall submit the plan to
21 both the House Committee on Administration of Criminal Justice and Senate
22 Committee on Judiciary B for approval. The form and content of the plan shall be

1 determined by the chairmen of the two committees, and shall also include the criteria
2 provided for in Subsection B of this Section.

3 B. For purposes of the plan, the secretary shall consider the existing
4 resources currently available for the housing of individuals committed to the custody
5 of the department with an assessment of the sufficiency of those resources in
6 enabling the department to comply with established treatment, training, and security
7 needs. If it is determined that additional housing is needed, the secretary shall
8 develop a plan for the expansion of housing space for such purpose. The plan shall
9 include options for the expansion of a state facility, a contract or other agreement
10 with a local correctional facility, and a contract or other agreement with a private
11 correctional facility. The plan shall contain a comparison between the three methods
12 of increasing the availability of housing by using state, local, and private facilities,
13 and shall include consideration of the costs associated with feeding and housing
14 individuals, the costs associated with employment of qualified personnel to properly
15 secure and maintain the facility, and the availability of facilities to provide adequate
16 healthcare for aged or infirm inmates. The plan shall include projected long-term
17 price increases for contracts with private correctional facilities.

18 C. The provisions of this Section shall not apply in West Carroll Parish.

19 Section 2. R.S. 39:1800.4(A) and (F) are hereby amended and reenacted to read as
20 follows:

21 §1800.4. State and local corrections facilities; private contracts

22 A. The department and local governmental subdivisions are hereby
23 authorized to enter into contracts with prison contractors for the financing, acquiring,
24 designing, leasing, constructing, and operating of facilities. Any contract by the
25 department shall reflect the recommended plan for addressing the shortage of
26 housing which was jointly approved by the House Committee on Administration of
27 Criminal Justice and Senate Committee on Judiciary B pursuant to the provisions of
28 R.S. 15:834.2.

29 * * *

1 F. No contract shall be entered into pursuant to this Chapter unless the
2 contract is approved by the Joint Legislative Committee on the Budget.
3 Additionally, department contracts submitted for approval shall be accompanied by
4 a copy of the recommended plan for addressing the shortage of housing which was
5 jointly approved by the House Committee on Administration of Criminal Justice and
6 Senate Committee on Judiciary B pursuant to the provisions of R.S. 15:834.2.

* * *

8 Section 3. This Act shall become effective on July 1, 2016; if vetoed by the governor
9 and subsequently approved by the legislature, this Act shall become effective on July 1,
10 2016, or on the day following such approval by the legislature, whichever is later.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____