

HOUSE BILL 2768

By DeBerry

AN ACT to amend Tennessee Code Annotated, Title 5 and Title 41, Chapter 24, relative to private prisons.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 41, Chapter 24, is amended by adding the following new section:

(a) Each contract between a local government and a private prison for which any state funds are used to pay the prison contractor, and each contract between this state and a local government to house inmates, must meet the following criteria and standards that apply to contracts between this state and prison contractors, whether such criteria and standards are set forth under general law or by rules promulgated by the department:

- (1) Number of inmates;
- (2) Total capacity of the facility;
- (3) Staffing numbers;
- (4) Staff training requirements;
- (5) Performance and cost criteria; and
- (6) Insurance and financial requirements.

(b) The department shall promulgate rules defining goals and standards for recidivism rates for private prison contracts and shall incorporate such standards into contracts executed on and after January 1, 2019.

(c) The requirements of subsection (a) apply to any contract specified in subsection (a) executed, extended, or renewed on or after the effective date of this act.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring
it.