

HOUSE BILL NO. HB0174

Private correctional facility standards.

Sponsored by: Representative(s) Watt

A BILL

for

1 AN ACT relating to private correctional facilities;
 2 amending standard requirements; modifying categories of
 3 acceptable prisoners; and providing for an effective date.

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5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 7-22-102(d) and 7-22-105 are amended
 8 to read:

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10 **7-22-102. Authority to contract; general conditions.**

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12 (d) ~~The state or the local government may reject or~~
 13 ~~return prisoners from outside the state.~~ Prisoners or
 14 inmates of out-of-state, ~~nonfederal~~ or federal
 15 jurisdictions shall not be incarcerated in any facility
 16 operated by a ~~local government entity~~ private correctional
 17 facility under this article. ~~without the consent of the~~

1 ~~majority of the five (5) elected officials of this state.~~
2 ~~At no time shall the number of prisoners from out of state,~~
3 ~~nonfederal jurisdictions incarcerated in a facility~~
4 ~~operated by a local government entity under this article~~
5 ~~exceed thirty percent (30%) of the capacity of that~~
6 ~~facility. Any out of state, nonfederal prisoner shall be~~
7 ~~returned to the jurisdiction of origin to be released from~~
8 ~~custody by them, outside the state of Wyoming at the~~
9 ~~appropriate time.~~

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11 **7-22-105. Standards of operation.**

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13 (a) All facilities governed by this article shall be
14 designed, constructed and at all times maintained and
15 operated in accordance with the American correctional
16 association standards in force at the time of contracting.
17 The facility shall meet ~~the percentage~~ one hundred percent
18 (100%) of ~~standards required for accreditation every~~
19 standard specified by the American correctional
20 association. ~~, except where the contract requires compliance~~
21 ~~with a higher percentage of nonmandatory standards.~~ The
22 contract may allow the contractor an extension of time in
23 which to meet a lower percentage of nonmandatory standards
24 only when the contract is for the renovation of an existing

1 facility, in which case the contractor shall have not
2 longer than three (3) months to meet those standards that
3 are applicable to the physical plant.

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5 (b) Facilities governed by this article shall comply
6 with all federal and state constitutional standards, state
7 and local laws, ~~and~~ all court orders and all other
8 operational standards and guidelines.

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10 **Section 2.** W.S. 7-22-102(c)(iii) is repealed.

11

12 **Section 3.** This act is effective July 1, 2002.

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14

(END)