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H.768

Introduced by Representative Rachelson of Burlington

Referred to Committee on

Date:

Subject: Corrections; administration of correctional facilities; private contracts

Statement of purpose of bill as introduced: This bill proposes to prohibit the use of private contracts for services related to the operation of a correctional facility.

An act relating to prohibiting contracts with for-profit correctional facilities

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. FINDINGS

The General Assembly finds that the management and operation of a correctional facility involves functions that are inherently governmental. It further finds that issues of liability, accountability, and cost warrant a prohibition of the ownership, operation, or management of correctional facilities by for-profit private contractors.

1       Sec. 2. 28 V.S.A. § 602 is added to read:

2       § 602. CONTRACTS PROHIBITED

3           (a) On or after July 1, 2018, the State shall not contract with a for-profit  
4       contractor or private vendor for the provision of services relating to the  
5       operation of a correctional facility.

6           (b) This section shall not apply to:

7               (1) State work release centers or juvenile residential facilities that  
8       provide separate care or special treatment centers operated in whole or part by  
9       private contractors; or

10               (2) contracts for ancillary services, including medical services,  
11       educational services, repair and maintenance contracts, or other services not  
12       directly related to the ownership, management, or operation of security  
13       services in a correctional facility.

14       Sec. 3. EFFECTIVE DATE

15           This act shall take effect on July 1, 2018.