

1 H.291

2 Introduced by Representatives Rachelson of Burlington, Cina of Burlington,
3 Colburn of Burlington, Donovan of Burlington, and Hooper of
4 Brookfield

5 Referred to Committee on

6 Date:

7 Subject: Corrections; administration of correctional facilities; private contracts

8 Statement of purpose of bill as introduced: This bill proposes to prohibit the
9 ownership, operation, or management of a State correctional facility by a
10 for-profit contractor.

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

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

14 Sec. 1. FINDINGS

15 The General Assembly finds that the management and operation of a
16 correctional facility involves functions that are inherently governmental.

17 It further finds that issues of liability, accountability, and cost warrant
18 a prohibition of the ownership, operation, or management of correctional
19 facilities by for-profit contractors.

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

2 § 602. CONTRACTS; PROHIBITION

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