

1 H.71

2 Introduced by Representatives Hashim of Dummerston, Birong of Vergennes,  
3 Christie of Hartford, Cina of Burlington, Colburn of Burlington,  
4 Kornheiser of Brattleboro, Mrowicki of Putney, Notte of  
5 Rutland City, and Rachelson of Burlington

6 Referred to Committee on

7 Date:

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

9 Statement of purpose of bill as introduced: This bill proposes to prohibit the  
10 Commissioner of Corrections from contracting with a for-profit contractor to  
11 own, operate, or manage a State correctional facility, or supervise or house  
12 inmates under the custody of the Commissioner in an out-of-state correctional  
13 facility.

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

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

17 Sec. 1. FINDINGS

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

1 It further finds that issues of liability and accountability warrant a prohibition  
2 on State contracts with for-profit correctional facilities.

3 Sec. 2. 28 V.S.A. § 123 is added to read:

4 § 123. CONTRACTS; PROHIBITION

5 (a) The State shall not contract with a for-profit contractor to provide  
6 services relating to the ownership, operation, or management of a State  
7 correctional facility, except for the following:

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

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

15 (b) The State shall not contract with a for-profit contractor to provide  
16 supervision, housing, treatment, or care to inmates under the custody of the  
17 Commissioner in an out-of-state correctional facility.

18 Sec. 3. EFFECTIVE DATES

19 (a) Secs. 1 and Sec. 2(a) of this act shall take effect on July 1, 2019.

20 (b) Sec. 2(b) of this act shall take effect on October 1, 2020.