

HOUSE BILL No. 2698

By Committee on Corrections and Juvenile Justice

Requested by Jennifer King on behalf of the Department of Corrections

2-6

1 AN ACT concerning the secretary of corrections; relating to juvenile
2 offenders; authorizing the secretary to allow juvenile offenders to leave
3 a juvenile correctional facility for certain types of programming and
4 educational activities; amending K.S.A. 75-7062 and repealing the
5 existing section.
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 75-7062 is hereby amended to read as follows: 75-
9 7062. (a) All jurisdiction, powers, functions and duties relating to juvenile
10 correctional facilities and institutions as defined in K.S.A. 38-2302, and
11 amendments thereto, are conferred and imposed upon the secretary of
12 corrections to be administered within the department of corrections as
13 provided by K.S.A. 75-7057 through 75-7071, and amendments thereto.

14 (b) The secretary of corrections may adopt rules and regulations for
15 the government, regulation and operation of such institutions. The
16 secretary of corrections may adopt rules and regulations relating to all
17 persons admitted to such ~~institutions~~ *facilities*.

18 (c) The secretary of corrections may enter into an educational
19 services contract with a unified school district, another public educational
20 services provider or a private educational services provider for ~~an~~
21 ~~institution~~ *a facility* pursuant to competitive bids or by negotiation as
22 determined by the secretary of corrections. Each such educational services
23 contract is exempt from the competitive bid requirements of K.S.A. 75-
24 3739, and amendments thereto.

25 (d) (1) *Except as provided in paragraph (2),* the secretary of
26 corrections shall not issue a pass, furlough or leave to any juvenile placed
27 ~~in an institution except as a facility unless~~ needed for such juvenile to
28 obtain medical services or to reintegrate such juvenile into the community.
29 If any juvenile is issued a pass, furlough or leave, such juvenile shall be
30 accompanied by a staff member or other designated adult.

31 (2) *The secretary of corrections may allow a juvenile to leave the*
32 *facility for employment, job interviews, education, job training or skills*
33 *development classes or programs, treatment programs or any community*
34 *pro-social activity to support risk reduction and reintegration. Such*
35 *juvenile may be allowed to leave the facility without being accompanied*

1 *by a staff member or other designated adult. The secretary shall adopt*
2 *policies and procedures to ensure adequate oversight, supervision and*
3 *accountability of such juveniles.*

4 (e) The secretary of corrections shall implement an ~~institutional~~
5 *facility* security plan designed to prevent escapes and to prohibit
6 contraband and unauthorized access to the ~~institution~~ *facility* and, within
7 the limits of appropriations, construct perimeter fencing as required by the
8 ~~institutional~~ *facility* security plan.

9 (f) The secretary of corrections, by rules and regulations, shall
10 establish a rigid grooming code and shall issue uniforms to juvenile
11 offenders in ~~an institution~~ *a facility*.

12 (g) The Larned juvenile correctional facility shall be under the
13 supervision and control of the secretary of corrections in accordance with
14 K.S.A. 76-3203, and amendments thereto.

15 (h) The Kansas juvenile correctional complex shall be under the
16 supervision and control of the secretary of corrections in accordance with
17 K.S.A. 76-3203, and amendments thereto.

18 (i) The department of corrections shall be the successor in every way
19 to the jurisdiction, powers, duties, and functions of the juvenile justice
20 authority pertaining to the programs and operation of juvenile correctional
21 facilities and institutions. Every act performed in the exercise of such
22 transferred powers, duties, and functions by or under the authority of the
23 department of corrections shall be deemed to have the same force and
24 effect as if performed by the juvenile justice authority in which such
25 powers, duties, and functions were vested prior to ~~the effective date of~~
26 ~~K.S.A. 75-7057 through 75-7071, and amendments thereto~~ *July 1, 2013*.

27 Sec. 2. K.S.A. 75-7062 is hereby repealed.

28 Sec. 3. This act shall take effect and be in force from and after its
29 publication in the statute book.