Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas *As Engrossed: S3/3/15 H3/27/15*
90th General Assembly **A Bill**
Regular Session, 2015 SENATE BILL 618

By: Senators D. Sanders, Hester
By: Representative Shepherd

For An Act To Be Entitled

AN ACT TO PERMIT THE DEPARTMENT OF CORRECTION TO CONTRACT OR REACH AN AGREEMENT WITH A REGIONAL CORRECTIONAL FACILITY TO HOUSE INMATES FROM THE DEPARTMENT; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO PERMIT THE DEPARTMENT OF CORRECTION TO CONTRACT OR REACH AN AGREEMENT WITH A REGIONAL CORRECTIONAL FACILITY TO HOUSE INMATES FROM THE DEPARTMENT; AND TO DECLARE AN EMERGENCY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 12-27-103(b)(14), concerning the power of the Department of Correction to contract with federal, state, and private entities to provide correctional operations, is amended to read as follows:

(14)(A)(i) ~~The~~ Subject to the approval of the Governor, the Department of Correction may cooperate with and contract with the federal government, governmental agencies of Arkansas and other states, political subdivisions of Arkansas, political subdivisions of other states, counties, regional correctional facilities, and private contractors to provide and improve correctional operations and to keep custody of inmates transferred from the Department of Correction.~~

(ii) A facility owned or leased under this

subdivision (b)(14) shall comply with all constitutional standards of the United States and the State of Arkansas.

(B) A county may contract for construction, operation, or both with another entity to house a Department of Correction inmate under this subdivision (b)(14) for a period not to exceed twenty (20) years;

SECTION 2. DO NOT CODIFY. Temporary language.

(a) The Board of Correction or Department of Correction shall promulgate rules consistent with the implementation of this act and shall submit the rules to the appropriate legislative committee by October 1, 2015.

(b) Any administrative directive resulting from the implementation of this act shall be reported to the Legislative Council for review at the next scheduled Legislative Council meeting date.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that there is a serious prison overcrowding problem in Arkansas; that every alternative housing solution should be considered until the prison population becomes manageable; and that this act is immediately necessary because the corrections agencies need flexibility to immediately address the prison overcrowding problem. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/D. Sanders