

HOUSE BILL NO. 420

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

Introduced: 1/27/92

Referred: State Affairs, Health, Education & Social Services, Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 "An Act expanding and clarifying the authority of the Department of Corrections to
2 contract for facilities for the confinement and care of prisoners; and providing for an
3 effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 33.30.031 is repealed and reenacted to read:

6 **Sec. 33.30.031. CONTRACT FOR CONFINEMENT AND CARE OF PRISONERS. (a)**

7 If the commissioner determines that suitable state correctional facilities are not available for the
8 detention and confinement of persons held under authority of state law, the commissioner may
9 enter into an agreement with a public or private entity to provide necessary facilities. Correctional
10 facilities provided through agreement with a public or private entity may be in this state or in
11 another state. The commissioner may not enter into an agreement with an entity unable to provide
12 custody, care, and discipline similar to that required by the laws of this state.

13 (b) The authority granted to the commissioner under (a) of this section is not limited to
14 contracts executed under AS 33.36.

1 (c) A person employed outside the facility, while confined in a privately operated
2 correctional facility within the state under (a) of this section, is subject to the provisions of
3 AS 33.30.131.

4 (d) The commissioner may enter into an agreement with the United States, another state,
5 a municipality of this state, or another state agency to provide a correctional facility for the
6 custody, care, and discipline of a person held under authority of the law of that jurisdiction.

7 * Sec. 2. AS 33.36.020 and 33.36.070 are repealed.

8 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).