

1 **REVISIONS TO GENERAL GOVERNMENT**

2 1999 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Loretta Baca**

5 AN ACT RELATING TO CORRECTIONS; DELETING THE PROVISIONS THAT CLASSIFY
6 AS CONFIDENTIAL THE REVIEWS OF PRIVATE CONTRACTS; AND DELAYING THE
7 AUTHORITY OF THE DEPARTMENT OF CORRECTIONS TO ENTER INTO NEW
8 CONTRACTS WITH PRIVATE ENTITIES TO PROVIDE CORRECTIONAL SERVICES.

9 This act affects sections of Utah Code Annotated 1953 as follows:

10 AMENDS:

11 **64-13-26**, as last amended by Chapter 224, Laws of Utah 1989

12 *Be it enacted by the Legislature of the state of Utah:*

13 Section 1. Section **64-13-26** is amended to read:

14 **64-13-26. Private providers of services.**

15 (1) The department may contract with private providers or other agencies for the provision
16 of care, treatment, and supervision of offenders committed to the care and custody of the
17 department.

18 (2) ~~[(a)]~~ The department shall:

19 ~~[(i)]~~ (a) establish standards for the operation of the programs; and

20 ~~[(ii)]~~ (b) annually review the programs for compliance.

21 ~~[(b) The reviews shall be classified as confidential internal working papers.]~~

22 ~~[(c) Access to records regarding the reviews is available upon the discretion of the~~
23 ~~executive director or the governor, or upon court order.]~~

24 (3) The department may not enter into a new contract with a private entity to finance,
25 acquire, construct, lease, or provide full or partial correctional services prior to March 16, 2000.

Legislative Review Note

as of 2-25-99 2:56 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel