

1 **PRIVATE PRISON AMENDMENTS**

2 2000 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Brad King**

5 AN ACT RELATING TO STATE INSTITUTIONS AND THE DEPARTMENT OF
6 CORRECTIONS; AMENDING THE DEFINITION OF A CORRECTIONAL FACILITY TO
7 INCLUDE THOSE FACILITIES THAT ARE UNDER CONTRACT WITH THE
8 DEPARTMENT.

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

10 AMENDS:

11 **64-13-1**, 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 **64-13-1** is amended to read:

14 **64-13-1. Definitions.**

15 As used in this chapter:

16 (1) "Community correctional center" means a nonsecure correctional facility operated:

17 (a) by the department[-]; or

18 (b) under a contract with the department.

19 (2) "Correctional facility" means any facility operated [~~by the department~~] to house
20 offenders, either in a secure or nonsecure setting[-];

21 (a) by the department; or

22 (b) under a contract with the department.

23 (3) "Council" means the Corrections Advisory Council.

24 (4) "Department" means the Department of Corrections.

25 (5) "Emergency" means any riot, disturbance, homicide, inmate violence occurring in any
26 correctional facility, or any situation that presents immediate danger to the safety, security, and
27 control of the department.

28 (6) "Executive director" means the executive director of the Department of Corrections.

29 (7) "Inmate" means any person who is committed to the custody of the department and
30 who is housed at a correctional facility or at a county jail at the request of the department.

31 (8) "Offender" means any person who has been convicted of a crime for which he may be
32 committed to the custody of the department and is at least one of the following:

33 (a) committed to the custody of the department;

34 (b) on probation; or

35 (c) on parole.

36 (9) "Secure correctional facility" means any prison, penitentiary, or other institution
37 operated by the department or under contract for the confinement of offenders, where force may
38 be used to restrain them if they attempt to leave the institution without authorization.

Legislative Review Note

as of 2-1-00 3:25 PM

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

Office of Legislative Research and General Counsel