

SENATE BILL 938

By Yarbro

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 12 and Title 41, relative to governmental
contracts with private prison contractors.

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

SECTION 1. Tennessee Code Annotated, Title 41, is amended by adding Sections 2 through 6 as a new chapter.

SECTION 2. This chapter shall be known and may be cited as the "Private Prison Alignment Act".

SECTION 3. Notwithstanding chapter 24 of this title to the contrary, any contract entered into, or renewed, on or after the effective date of this act, by the state or a county with any private entity to provide correctional services, as defined in § 41-24-102, to inmates must be a performance-based contract adhering to the accountability standards and performance measures established by the department pursuant to Section 4, and must provide incentives for reducing recidivism and improving re-entry and outcomes for incarcerated individuals.

SECTION 4. The department shall establish by rule accountability standards and performance measures to be met by a private entity providing correctional services. The department shall also establish contract requirements for effective outcome and performance-based education, vocational, rehabilitation, and addiction programming and services. State funds must not be received by the department or a county for correctional services provided by a private entity unless the entity adheres to the accountability standards and performance measures.

SECTION 5. A private entity providing correctional services pursuant to a contract with the state or a county shall provide any official or employee of the department access to the

physical plant and records for the purpose of monitoring and inspecting the facility and records for compliance with the terms and conditions of the contract.

SECTION 6. The commissioner is directed to promulgate rules pursuant to the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, as required to effectuate the purposes of this chapter.

SECTION 7. This act shall take effect upon becoming a law, the public welfare requiring it.