A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1   SECTION 1. Chapter 353, Hawaii Revised Statutes, is

2 amended by adding a new section to be appropriately designated

3 and to read as follows:

4   "§353-   **Contracts with out-of-state detention**

5 **facilities; freedom of information requirement.** (a) Contracts

6 made directly between the State and a nongovernmental entity or

7 through interstate compacts that provide for the incarceration

8 or detention of state prisoners or detainees in a privately

9 owned prison or out-of-state detention facility shall:

10   (1)   Require the State and contractor to provide access to

11   the same information as chapter 92F requires the

12   department of public safety to provide; and

13   (2)   Include the same remedies for the failure of

14   contractors to comply with this chapter that chapter

15   92F provides for the failure of government agencies to

16   comply with chapter 92F.

17   (b)   For purposes of this section, "privately owned prison"

18 and "out-of-state detention facility" mean any privately owned

1 prison or out-of-state detention facility that incarcerates or

2 detains prisoners or detainees pursuant to a contract with the

3 State."

4   SECTION 2.   New statutory material is underscored.

5   SECTION 3.   This Act shall take effect on July 1, 2011.

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                    INTRODUCED BY: _____

S.B. NO. 43

Report Title:
Public Safety; Freedom of Information; Out-of-State Prisons

Description:
Requires privately owned prisons or out-of-state detention facilities holding prisoners under a contract with the State to follow state freedom of information laws pursuant to chapter 92F, Hawaii Revised Statutes.

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