S.B. NO. 744

JAN 2 2 2021

A BILL FOR AN ACT

RELATING TO CORRECTIONAL FACILITIES.

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

SECTION 1. Section 353-16.35, Hawaii Revised Statutes, is
amended to read as follows:

3 "§353-16.35 Development or expansion of in-state

4 correctional facilities [-]; private correctional facilities

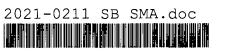
Notwithstanding any other law to the contrary, 5 prohibited. (a) 6 the governor, with the assistance of the director, may negotiate 7 with any person for the development or expansion of [private in-8 state correctional facilities or] public in-state turnkey 9 correctional facilities to reduce prison overcrowding; provided 10 that if an environmental assessment or environmental impact 11 statement is required for a proposed site or for the expansion 12 of an existing correctional facility under section 343-5, then 13 notwithstanding the time periods specified for public review and 14 comments under section 343-5, the governor shall accept public 15 comments for a period of sixty days following public 16 notification of either an environmental assessment or an 17 environmental impact statement.



1

S.B. NO. 744

1	(b)	Any development or expansion proposal shall address
2	the const	ruction of the facility separate from the operation of
3	the facility and shall consider and include:	
4	(1)	The percentage of low, medium, and high security
5		inmates and the number of prison beds needed to
6		incarcerate each of the foregoing classes of inmates;
7	(2)	The facility's impact on existing infrastructure, and
8		an assessment of improvements and additions that will
9		be necessary;
10	(3)	The facility's impact on available modes of
11		transportation, including airports, roads, and
12		highways; and
13	(4)	A useful life costs analysis.
14	(C)	There shall be no private correctional facility
15	established within the State.	
16	[-(c)] (d) For the purposes of this section, "useful life
17	costs" means an economic evaluation that compares alternate	
18	building	and operating methods and provides information on the
19	design, c	onstruction methods, and materials to be used with
20	respect t	o efficiency in building maintenance and facilities
21	operation	. "



2

S.B. NO. 744

SECTION 2. Statutory material to be repealed is bracketed
and stricken. New statutory material is underscored.

3 SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY: 255

4



S.B. NO. 744

Report Title:

Private Correctional Facility; Prohibition

Description:

Repeals the authorization for the governor to negotiate with any person for the development or expansion of private correctional facilities. Prohibits the establishment of private correctional facilities in the State.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

