

2021 Kansas Statutes

75-5288. Lease of facilities at correctional institutions for private enterprises; term; inmate employment; laws applicable to lessees; authority over institutions and inmates preserved. (a) Notwithstanding the provisions of K.S.A. 75-3738 to 75-3744, inclusive, and amendments thereto or of any other laws to the contrary, the secretary of corrections may lease one or more buildings or portions thereof on the grounds of any correctional institution, together with the real estate needed for reasonable access to and egress from the leased buildings, for a term not to exceed 20 years, to a private individual, firm, corporation or other lawful entity for the purpose of establishing and operating a business enterprise for the manufacture and processing of goods, wares or merchandise, or any other business or commercial enterprise deemed by the secretary of corrections to be consistent with the proper training and rehabilitation of inmates.

(b) Subject to approval by the secretary of corrections, any corporation operating a factory or other business or commercial enterprise under this section may employ selected inmates of the correctional institution upon whose grounds it operates.

(c) Notwithstanding the provisions of K.S.A. 75-3738 to 75-3744, inclusive, article 12 of chapter 75 of the Kansas Statutes Annotated, article 58 of chapter 75 of the Kansas Statutes Annotated, and amendments thereto, or of any other laws to the contrary, the secretary of corrections may enter into agreements with a private individual, firm, corporation or other lawful entity for the purpose of accepting as a donation, lease or purchase, on behalf of the state any building or renovation of a building to be used for the manufacture and processing of goods, wares or merchandise, or any other business or commercial enterprise deemed by the secretary of corrections to be consistent with the proper training and rehabilitation of inmates.

(1) Such agreements may provide for the financing, design, construction or renovation of such buildings on the grounds of correctional facilities. The secretary may not obligate the expenditure of state funds except as provided by K.S.A. 75-5281, and amendments thereto.

(2) Buildings constructed or renovated pursuant to this section shall become the property of the state as provided by such agreements or after 20 years, whichever time period is shorter.

(d) Any business enterprise established under the provisions of this section shall be deemed a private enterprise and subject to all the laws, rules and regulations of this state governing the operation of similar business enterprises elsewhere in this state.

(e) The authority of the secretary of corrections over the institutions of the department of corrections and the inmates thereof shall not be diminished by this section.

History: L. 1978, ch. 366, § 2; L. 1999, ch. 163, § 4; July 1.