

REFERENCE TITLE: private prison study committee

State of Arizona
House of Representatives
Fifty-second Legislature
Second Regular Session
2016

HB 2173

Introduced by
Representatives Andrade, Cardenas, Gabaldón, Gonzales, Hale, Larkin, Mach,
Mendez, Meyer, Saldate, Velasquez, Senator Quezada: Representatives
Alston, Bolding, Clark, Espinoza, Fernandez, Friese, McCune Davis, Otondo,
Rios, Steele

AN ACT

ESTABLISHING THE PRIVATE PRISON STUDY COMMITTEE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Private prison study committee; membership; duties;
3 report; delayed repeal

4 A. The private prison study committee is established consisting of the
5 following members:

6 1. Two members of the house of representatives who are appointed by
7 the speaker of the house of representatives and who are members of different
8 political parties. The speaker of the house of representatives shall
9 designate one of these members to serve as cochairperson of the committee.

10 2. Two members of the senate who are appointed by the president of the
11 senate and who are members of different political parties. The president of
12 the senate shall designate one of these members to serve as cochairperson of
13 the committee.

14 3. One member who is appointed by the governor and who represents a
15 statewide coalition for prison reform.

16 4. Two members who represent the law enforcement community, one of
17 whom is from a county with a population of one million two hundred thousand
18 persons or more and who is appointed by the speaker of the house of
19 representatives and one of whom is from a county with a population of less
20 than one million two hundred thousand persons and who is appointed by the
21 president of the senate.

22 5. Two county attorneys or their designees, one of whom is from a
23 county with a population of one million two hundred thousand persons or more
24 and who is appointed by the president of the senate and one of whom is from a
25 county with a population of less than one million two hundred thousand
26 persons and who is appointed by the speaker of the house of representatives.

27 6. Two judges, one of whom is from a municipal court and who is
28 appointed by the president of the senate and one of whom is from a superior
29 court and who is appointed by the speaker of the house of representatives.

30 7. One member who is appointed by the governor and who is a
31 representative of the Arizona peace officer standards and training board.

32 8. The director of the state department of corrections or the
33 director's designee.

34 9. The director of the department of juvenile corrections or the
35 director's designee.

36 10. Two attorneys who practice criminal defense law and who are
37 appointed by the governor.

38 11. Three members, one each from Arizona state university, the
39 university of Arizona and northern Arizona university, who are faculty
40 members with expertise in law, criminology, sociology or another relevant
41 field and who are appointed by the president of each member's respective
42 university.

43 B. The cochairpersons shall be members of different political parties.

- 1 C. The study committee shall research and report on the following:
2 1. The impact of private prisons on the safety of the public.
3 2. The impact of private prisons on the safety of prisoners and staff
4 at private prison facilities.
5 3. The economic efficiency and impact of housing state prisoners in
6 private prison facilities.
7 4. The provision of constitutionally appropriate services for
8 prisoners, including adequate health care at private prison facilities.
9 5. The training currently required for staff at private prison
10 facilities.
11 D. The private prison study committee may:
12 1. Request information, data and reports from any state agency or
13 political subdivision of this state and from private prison facilities
14 operating in this state. If possible, information shall be provided
15 electronically.
16 2. Hold hearings, conduct fact-finding tours and take testimony from
17 witnesses, including participants in the criminal justice system, who may
18 assist the committee in fulfilling its responsibilities.
19 E. On the request of the private prison study committee, an agency of
20 this state or a private prison facility shall provide to the committee its
21 services, equipment, documents, personnel and facilities to the extent
22 possible without cost to the committee.
23 F. The legislature shall provide staff and support services to the
24 committee.
25 G. The committee shall meet at the state capitol or at other places as
26 the cochairpersons deem necessary or convenient, and all meetings shall be
27 open to the public.
28 H. Members of the study committee are not eligible to receive
29 compensation but are eligible for reimbursement of expenses pursuant to title
30 38, chapter 4, article 2, Arizona Revised Statutes.
31 I. On or before December 31, 2016, the study committee shall submit a
32 report regarding its findings and recommendations to the governor, the
33 speaker of the house of representatives and the president of the senate and
34 provide a copy of its report to the secretary of state. The report shall
35 include the committee's recommendations regarding the continued use of
36 private prisons in this state.
37 J. This section is repealed from and after September 30, 2017.