

1 AN ACT relating to local correctional facilities.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 441.420 is amended to read as follows:

- 4 (1) No political subdivision of this Commonwealth, combination of subdivisions, or
5 regional jail authority shall build a new local correctional facility unless:
- 6 (a) The facility meets the approval or complies with the standards and
7 administrative regulations of the department promulgated pursuant to KRS
8 441.055;
- 9 (b) The construction results in a new facility with:
- 10 1. A minimum capacity of one hundred fifty (150) prisoner beds, ***except as***
11 ***provided in subsection (5) of this section***; or
- 12 2. If a larger facility is needed, more than one hundred fifty (150) prisoner
13 beds in fifty (50) bed increments; and
- 14 (c) Construction of the local correctional facility is approved by the construction
15 authority.
- 16 (2) Final authority for approval of plans for the construction of a local correctional
17 facility, or an addition to a local correctional facility shall rest with the construction
18 authority.
- 19 (3) The department shall pay for the architectural plans and engineering services
20 associated with any new local correctional facility approved by the construction
21 authority.
- 22 (4) The department may promulgate administrative regulations to create a fee schedule
23 for architectural plans and engineering services required for the construction of
24 local correctional facilities. A sample fee schedule for architectural plans and
25 engineering services may be developed by a committee consisting of department
26 personnel, architects, and construction managers.
- 27 **(5) Notwithstanding subsection (1)(b)1. of this section, KRS 441.430(3)(a) and (b), or**

1 *KRS 441.450(3)(b), or any other law relating to the minimum number of prisoner*
2 *beds, a political subdivision of this Commonwealth, combination of subdivisions,*
3 *or regional jail authority may construct a new facility to replace or rebuild a*
4 *facility that was destroyed or damaged beyond being fit for occupancy following a*
5 *catastrophic event, including but not limited to tornado, fire, and flood, if federal*
6 *funding is available to pay some or all of the cost of the facility. The replacement*
7 *facility is not required to have the same number of prisoner beds, the same*
8 *footprint, or be located in the same parcel of land as the facility it is intended to*
9 *replace.*