

Article 16.--REPORTING AND CLAIMS PROCEDURE FOR LOST OR DAMAGED PROPERTY OR FOR PERSONAL INJURY

44-16-101 Reserved.

44-16-102 Reporting loss or damage to property.

(a) Each inmate shall report every loss of or damage to the inmate's own property immediately. In reporting property damage or loss, inmates shall use applicable avenues of redress as established by internal management policies and procedures. These procedures shall be strictly followed.

(b) The facility warden shall not be required to accept any property loss or damage claim unless it is made within 15 working days of the discovery of the loss. The warden shall not be required to accept any claim at all if both of the following conditions are met:

(1) The claim is submitted later than one year and one day after the date of the loss, regardless of when the loss was discovered.

(2) The inmate could have discovered the loss by exercising reasonable effort to know the status of the inmate's property and money. This amendment shall be effective on and after February 15, 2002.

(Authorized by K.S.A. 75-5251; implementing K.S.A. 46-920, 75-5254, 75-5255, 75-5257, 75-5210; effective May 1, 1980; amended May 1, 1984; amended Feb. 15, 2002.)

44-16-103 This revocation shall be effective on and after February 15, 2002.

(Authorized by and implementing K.S.A. 46-920, as amended by L. 1988, Ch. 183, Sec. 1, K.S.A. 75-5210, 75-5251, 75-5254, 75-5257; effective May 1, 1980; amended May 1, 1984; amended Jan. 2, 1989; revoked Feb. 15, 2002.)

44-16-104 This revocation shall be effective on and after February 15, 2002.

(Authorized by K.S.A. 1990 Supp. 75-5210, K.S.A. 75-5251; implementing K.S.A. 1990 Supp. 46-920, 75-5254, 75-5257; effective May 1, 1980; amended May 1, 1984; amended Jan. 2, 1989; amended April 20, 1992; revoked Feb. 15, 2002.)

44-16-104a. Inmate claims for personal injury. (a) Each inmate claim for personal injury shall be submitted to the facility and secretary of corrections within 10 calendar days of the claimed personal injury.

(b) Each claim described in subsection (a) shall be submitted and processed in accord with the department of corrections' internal management policies and procedures.

(c) The requirement that the inmate submit the claim as described in subsection (a) shall apply whether or not the inmate pursues a grievance pursuant to article 15 and whether or not the inmate files a claim with the legislative joint committee on special claims against the state. (Authorized by K.S.A. 75-5251; implementing K.S.A. 75-52,138; effective June 1, 2007.)

44-16-105 Property at own risk. An inmate shall be deemed to own personal property at the inmate's own risk. Loss or damage of personal property shall not provide a basis for recovery on a claim unless the loss or damage directly resulted from the intentional or negligent act or omission of a correctional employee and was reported according to applicable internal management policies and procedures. This amendment shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 75-5210; effective May 1, 1980; amended May 1, 1984; amended Feb. 15, 2002.)

44-16-106 This revocation shall be effective on and after February 15, 2002. (Authorized by K.S.A. 75-5251, K.S.A. 1979 Supp. 75-5252; effective May 1, 1980; revoked Feb. 15, 2002.)

44-16-107 This revocation shall be effective on and after February 15, 2002. (Authorized by K.S.A. 1983 Supp. 75-5210, K.S.A. 75-5251; implementing K.S.A. 1983 Supp. 75-5210, K.S.A. 46-920, 75-5251, 75-5254, 75-5257; effective May 1, 1984; revoked Feb. 15, 2002.)

44-16-108 This revocation shall be effective on and after February 15, 2002. (Authorized by and implementing K.S.A. 46-920, as amended by L. 1988, Ch. 183, Sec. 1, K.S.A. 75-5210, 75-5251, 75-5254, 75-5257; effective May 1, 1980; amended May 1, 1984; amended Jan. 2, 1989; revoked Feb. 15, 2002.)