

SESSION OF 2010

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2433

As Amended by House Committee of the Whole

Brief*

HB 2433 would exempt all Regents institutions from state purchasing laws and regulations, including the Prison Made Goods Act. It also would exempt universities from the statutes covering the procurement of professional services, negotiated procurement processes, and the mandated use of the State Division of Printing. However, universities would not be exempt from procurement requirements related to architectural, engineering, construction management, or ancillary technical services.

In addition, the bill would authorize the Secretary of the Department of Corrections to sell prison-made goods to private residents of Kansas, Kansas businesses, and to state employees for their private use. The bill's provision regarding the sale of prison-made goods would expire on June 30, 2013.

Background

The bill was part of the Board of Regents legislative package and was introduced by the Legislative Educational Planning Committee. The Department of Corrections recommended the addition of authority for the Department to sell raw materials and supplies to private Kansas businesses and individuals.

The House Committee of the Whole amended the bill by adding an expiration date of June 30, 2013, for the section of the bill allowing the Secretary of the Department of Corrections

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

to sell prison-made goods to private Kansas businesses and individuals.

Proponents of the bill included representatives of Fort Hays State University, the University of Kansas, Department of Corrections, Kansas Board of Regents, Wichita State University, and Pittsburg State University.

There were no opponents of the bill.

Representatives of the American Council of Engineering and the American Institute of Architects presented neutral testimony.

The fiscal note prepared by the Division of the Budget indicated the bill would have no effect on State General Fund appropriations. The fiscal note stated that in fiscal years 2001 through 2005, universities purchased an average of over \$1.0 million in prison-made goods and, further, if those purchases stopped, revenues to the Prison Made Goods Program would be reduced.

In addition, the fiscal note stated that Fort Hays State University and the University of Kansas (participants in a three-year pilot program exempting them from state purchasing laws and regulations) reported savings of \$804,000 in fiscal year 2008 and \$1,021,000 in fiscal year 2009.