

SESSION OF 2014

**SUPPLEMENTAL NOTE ON HOUSE SUBSTITUTE FOR
SENATE BILL NO. 40**

As Recommended by House Committee on
Corrections and Juvenile Justice

Brief*

House Sub. for SB 40 would amend the Prison Made Goods Act to allow the employment of juvenile offenders in industries established by the Secretary of Corrections. Additionally, the bill would remove an expired provision allowing the sale of prison-made articles, products, and services to Kansas residents and businesses.

The bill also would amend the statute creating the Correctional Industries Fund (Fund) to allow moneys in the Fund to be used to purchase workers compensation insurance for inmates assigned to a certified prison industry enhancement certification program (PIECP) customer model industry owned and operated by Kansas Correctional Industries. Subject to PIECP wage-level requirements, inmates assigned to the program would have the same status as inmates assigned to a traditional industries program and would not be regarded as state employees.

Background

As introduced by the 2013 Senate Committee on Judiciary and passed by the 2013 Senate, SB 40 would have amended provisions related to forensic DNA testing. Compromise language derived from SB 40 was passed by the 2013 Legislature as part of the Conference Committee Report on Senate Sub. for HB 2093.

*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>

The 2014 House Committee on Corrections and Juvenile Justice recommended a substitute bill for SB 40 be passed containing the contents of HB 2572 and HB 2565, which were stricken from the House Calendar pursuant to Rule 1507.

No fiscal note is available for the substitute bill.

Background of HB 2572

HB 2572 was introduced by the House Committee on Corrections and Juvenile Justice at the request of the Kansas Department of Corrections (KDOC). In the House Committee, a KDOC representative testified in support of the bill. There was no opponent testimony. The House Committee recommended the bill favorably for passage.

According to the fiscal note prepared by the Division of the Budget on HB 2572, the specific fiscal effect of the bill cannot be determined because the number of juvenile offenders who might be employed by a correctional industry is unknown, as are the capital improvement or outlay expenditures that might be required. Any expenditure increases resulting from the bill would be subject to the budget process and incurred entirely by the Kansas Correctional Industries Fund. Any fiscal effect associated with the bill is not reflected in *The FY 2015 Governor's Budget Report*.

Background of HB 2565

HB 2565 was introduced by the House Committee on Corrections and Juvenile Justice at the request of KDOC. In the House Committee, a representative of the KDOC testified in support of the bill, stating it would allow two current Kansas Correctional Industries programs to be certified under the federal PIECP. There was no opponent testimony. The House Committee recommended the bill favorably for passage.

According to the fiscal note prepared by the Division of the Budget on HB 2565, the specific fiscal effect of the bill is not known because the KDOC does not yet have cost estimates from workers compensation insurance providers. Any necessary expenditure increases would be subject to the budget process and incurred entirely by the Fund. Any fiscal effect associated with the bill is not reflected in *The FY 2015 Governor's Budget Report*.