

SESSION OF 2003

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2090

As Recommended by House Committee on
Corrections and Juvenile Justice

Brief*

HB 2090 would clarify that organizations that use inmates on work crews for public service are not agents of the state, except for the purpose of maintaining the confinement of the inmates, and, therefore, any negligence on the part of the organization or entity that benefits from the work performed would not be imputed to the state or the Department of Corrections.

Background

The Secretary of the Department of Corrections (DOC) appeared in support of the bill to indicate that the bill is consistent with the rationale for vicarious liability.

The fiscal note indicates there could be a fiscal effect due to the reduction in the DOC's legal liability.

The bill is placed on the consent calendar.

*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/kldr>