

SESSION OF 2013

SUPPLEMENTAL NOTE ON SENATE BILL NO. 74

As Amended by Senate Committee on
Commerce

Brief*

SB 74, as amended, would revise the Prison-made Goods Act. The Secretary of the Department of Corrections would be prohibited from establishing or maintaining a home building program that would compete with manufactured or modular homes constructed privately. The bill would allow for the continuation of a vocational building program whereby the Department of Corrections provides buildings to state agencies. The size of the buildings would be limited to 1,000 square feet.

The terms “manufactured home,” “manufactured home dealer,” “manufactured home manufacturer,” and “modular home” would have the same definitions as found in KSA 58-4202.

Background

A representative of the Kansas Manufactured Housing Association spoke as a proponent, stating there was potential for the Department of Corrections to compete unfairly against private business.

Representatives of the Department of Corrections and the Smoky Hill Economic Development Corporation spoke as opponents. According to the Department, 2011 was the most recent year that the Vocational Education Program constructed buildings: six cabins for the Department of

*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>

Wildlife, Parks and Tourism. In previous years, using a model similar to Habitat for Humanity, the program built homes in Hutchinson and Ellsworth for religious and nonprofit organizations. The Department added that the Vocational Program provides inmates with nationally accredited vocational skills. The economic development corporation representative stated the program benefited the Ellsworth economy and reduced inmate recidivism rates.

The Department of Wildlife, Parks and Tourism provided neutral testimony, suggesting, should the legislation be recommended for passage, an amendment be included to exempt a cabin building program. According to the Department, most of the cabins in state parks and wildlife areas were built by prison inmates. Although no cabins are under construction currently, the agency would like to ensure this option is available in the future.

The Senate Committee on Commerce amended the bill to permit the Department of Corrections to construct buildings, not to exceed 1,000 square feet, for state agencies.

According to the fiscal note provided by the Division of the Budget, in consultation with the Department of Corrections, the bill, as introduced, would have no fiscal impact.