

Chapter 13a

Utah Correctional Industries Act

64-13a-1 Title.

This act is known as the "Utah Correctional Industries Act."

Enacted by Chapter 201, 1985 General Session

64-13a-2 Legislative intent.

It is the intent of the Legislature in this chapter to:

- (1) create a Division of Correctional Industries which:
 - (a) is a self-supporting organization;
 - (b) is profit-oriented;
 - (c) generates revenue for its operations and capital investment; and
 - (d) assumes responsibility for training offenders in general work habits, work skills, and specific training skills that increase their employment prospects when released;
- (2) provide an environment for the operation of correctional industries that closely resembles the environment for the business operations of a private corporate entity;
- (3) make the Division of Correctional Industries responsible for and accountable to the Legislature and to the governor for correctional industries programs in this state.

Enacted by Chapter 201, 1985 General Session

64-13a-3 Definitions.

As used in this chapter "division" means the Division of Correctional Industries.

Amended by Chapter 36, 2003 General Session

64-13a-4 Creation of division -- Authority of director.

There is created in the Department of Corrections the Division of Correctional Industries, which shall be under the direction of the director of correctional industries, who shall be appointed by the director of the Department of Corrections. The director of correctional industries shall have considerable business operations experience, including the supervision and management of production operations, and has the authority to:

- (1) determine the personnel needs and requirements of the program;
- (2) hire all subordinate personnel in accordance with state policy and procedures; and
- (3) market and deliver correctional industry products and services.

Enacted by Chapter 201, 1985 General Session

64-13a-7 Prison industry properties belong to state.

All money received by prison industries in the administration of this chapter, except as otherwise provided, together with all property acquired, administered, possessed, or received by prison industries are the property of the state, and all expenses, debts, and liabilities incurred by prison industries in connection with the administration of this chapter shall be paid from the Utah Correctional Industries Fund.

Enacted by Chapter 201, 1985 General Session

64-13a-8 Reports to governor.

Utah correctional industries shall make reports to the governor concerning the administration of this chapter, as the governor may require.

Amended by Chapter 135, 1997 General Session

64-13a-9 Expenses to be paid from fund.

All expenditures necessary for the administration of this chapter, including the payment of all salaries, necessary overhead expenses, acquisition of assets, and raw materials shall be paid by warrants of the state drawn on the state treasurer to be paid out of the Utah Correctional Industries Fund.

Enacted by Chapter 201, 1985 General Session

64-13a-10 Payment of accounts.

All accounts payable by Utah correctional industries shall be preaudited by a person designated by the Utah Correctional Industries Division. Requisitions for payment of accounts shall be signed and countersigned by persons designated by the Utah Correctional Industries Division.

Enacted by Chapter 201, 1985 General Session

64-13a-11 Financial statements.

The financial statements of the Utah Correctional Industries Division shall be made up quarterly to the last day of September, December, March, and June in each year, and at other times as determined by the governor, and in every case Utah correctional industries shall prepare a balance sheet, income statement, and statement of changes in financial position.

Enacted by Chapter 201, 1985 General Session

64-13a-12 Audit of financial statements.

The financial statements of the fund may be audited annually by the state auditor or by another person, firm, or corporation the state auditor may appoint.

Amended by Chapter 135, 1997 General Session

Amended by Chapter 169, 1997 General Session

64-13a-13 Purchases of material -- Exemption.

- (1) The Division of Correctional Industries is exempt from the provisions of Title 63G, Chapter 6a, Utah Procurement Code, in respect to goods or services purchased by or sold to the department.
- (2) The purchase of raw materials for use by the division in manufacturing or processing products for resale is exempt from the powers and duties of the state purchasing agent.

Amended by Chapter 347, 2012 General Session

64-13a-14 Hearings.

- (1) Pursuant to Section 64-13a-2, the Department of Corrections shall provide an opportunity for persons or organizations affected by the establishment of new industry programs or product lines to appear and present testimony concerning the plans and activities of the Division of Correctional Industries.
- (2) No new industrial, agricultural, or service enterprise which involves gross annual sales of more than \$100,000 may be established unless and until a hearing concerning the enterprise has been held by the department.
- (3) The department shall take into consideration the effect of a proposed enterprise on Utah industry and may not approve the establishment of the enterprise if it would have a comprehensive and substantial adverse impact on a particular Utah business, enterprise, or industry.

Amended by Chapter 224, 1989 General Session