

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 2.2-1120 of the Code of Virginia, relating to the Department of General*  
3 *Services; Division of Purchases and Supply; purchases by private nonprofit institutions of higher*  
4 *education from certain state contracts.*

5 [S 664]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**8 **1. That § 2.2-1120 of the Code of Virginia is amended and reenacted as follows:**

9 § 2.2-1120. Direct purchases by using agencies and certain charitable corporations and private  
10 nonprofit institutions of higher education.

11 A. The Division shall have the power, by general rule or special order, to permit purchases of any  
12 material, equipment, supplies, printing or nonprofessional services of every description to be made by  
13 any using agency directly, and not through the Division, whenever it appears to the satisfaction of the  
14 Division that by reason of the excess transportation costs, a lower price with equal quality can be  
15 obtained by the using agency, or for any other reason, which in the judgment of the Division warrants  
16 an exemption.

17 B. The Division shall allow corporations operating in Virginia and granted tax exempt status under  
18 § 501 (c) (3) of the Internal Revenue Code and operating as clinics for the indigent and uninsured that  
19 are organized for the delivery of primary health care services (i) as federally qualified health centers  
20 designated by the Health Care Financing Administration or (ii) at a reduced or sliding fee scale or  
21 without charge, to purchase directly from contracts established for state agencies and public bodies by  
22 the Division or, provided it is not prohibited by the terms of the procurement, through participation by  
23 the Division in other cooperative procurements.

24 C. The Division shall allow organizations that provide transportation services in Virginia and receive  
25 funding from the Federal Transit Administration or the Commonwealth Transportation Fund to purchase  
26 directly from contracts established for state agencies and public bodies by the Division. The Department  
27 of Rail and Public Transportation shall assist the Division in establishing and maintaining a list of  
28 organizations that shall be authorized to make purchases pursuant to this subsection.

29 D. *The Division shall allow private institutions of higher education chartered in Virginia and*  
30 *granted tax-exempt status under § 501(c)(3) of the Internal Revenue Code to purchase directly from*  
31 *contracts established for state agencies and public bodies by the Division.*

32 **2. That the Division shall seek the assistance of the Council of Independent Colleges in Virginia in**  
33 **establishing and maintaining a list of private educational institutions authorized to make purchases**  
34 **pursuant to the provisions of this act.**

ENROLLED

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