

2012 SESSION

INTRODUCED

12103403D

HOUSE BILL NO. 263

Offered January 11, 2012

Prefiled January 10, 2012

A *BILL to amend and reenact § 53.1-48 of the Code of Virginia, relating to correctional enterprises; exemption from mandatory purchase provisions.*

Patrons—Peace, Bell, Richard P., Albo, Anderson, Cole, Cox, J.A., Garrett, Helsel, Morris, O'Bannon, Poindexter, Ramadan, Rush and Villanueva

Referred to Committee on Militia, Police and Public Safety

Be it enacted by the General Assembly of Virginia:

1. That § 53.1-48 of the Code of Virginia is amended and reenacted as follows:

§ 53.1-48. Exceptions as to purchases.

The Director of the ~~Division of Purchases and Supply~~ *Department of General Services* may exempt a department, institution or agency of the Commonwealth from the provisions of § 53.1-47 in any case where, in the opinion of the Director, (i) the article so produced or manufactured does not meet the reasonable requirements of such department, institution or agency, (ii) *a substantially equivalent article can be obtained at a lesser cost from the private sector*, or (iii) the requisition made cannot be complied with on account of an insufficient supply of the articles or supplies required, or otherwise. In any case where the Director of ~~Purchases and Supply~~ *the Department of General Services* grants an exemption from the provisions of § 53.1-47, he shall submit a written justification for the exemption to the Director of the Department of Corrections.

2. That on or before October 1, 2014, the Director of the Department of General Services and the Director of the Department of Corrections shall report to the Governor and the General Assembly on the impact of the implementation of the provisions of this act, including any cost savings to the Commonwealth and any efficiencies realized. The Departments may include in the report recommendations for improvement of the process that is the subject of this act.

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