

2012 SESSION

HOUSE SUBSTITUTE

12105234D

HOUSE BILL NO. 263

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on General Laws
on February 9, 2012)

(Patrons Prior to Substitute—Delegates Peace and Bell, Richard P. [HB 90])

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

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 may exempt~~ a department, institution or agency of the Commonwealth ~~may be granted an exemption from the provisions of § 53.1-47 with the consent of both the Director of the Division of Purchases and Supply and the Chief Executive Officer of the Virginia Correctional Enterprises Program 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 the department, institution or agency, (ii) an identical article can be obtained at a verified lesser cost from the private sector, which is evidenced by a verified request for pricing, 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 an exemption from the provisions of § 53.1-47 is granted as provided in this section, the Director of Purchases and Supply grants an exemption from the provisions of § 53.1-47, he and the Chief Executive Officer of the Virginia Correctional Enterprises Program shall submit a written justification for the exemption to the Director of the Department of Corrections and the Director of the Department of General Services.~~

2. That on or before November 30, 2012, 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, any efficiencies realized, and the impact on prisoner re-entry and safety in correctional institutions. The Departments may include in the report recommendations for improvement of the process that is the subject of this act.

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