

# VIRGINIA ACTS OF ASSEMBLY -- 2019 SESSION

## CHAPTER 167

*An Act to amend and reenact § 53.1-48 of the Code of Virginia, relating to Virginia Correctional Enterprises; procedure for exemptions to the mandatory purchase provisions.*

[H 1981]

Approved February 27, 2019

**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.**

A department, institution, or agency of the Commonwealth may be granted an exemption from the provisions of § 53.1-47 with the *written* 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 (i) the article so produced or manufactured does not meet the reasonable requirements of 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 *not* granted as provided in this section, ~~the Director of Purchases and Supply and~~ the Chief Executive Officer of the Virginia Correctional Enterprises Program shall ~~submit~~ *provide* a written justification for the ~~exemption~~ *denial* to the ~~Director of the Department of Corrections and the Director of the Department of General Services~~ *department, institution, or agency that requested the exemption.*