

1999 SESSION

INTRODUCED

999455386

HOUSE BILL NO. 1929

Offered January 18, 1999

A *BILL to amend and reenact §§ 53.1-45 and 53.1-47 of the Code of Virginia, and to repeal §§ 53.1-48 and 53.1-49 of the Code of Virginia, relating to Virginia Correctional Enterprises; mandatory procurement.*

Patrons—O'Brien, Shuler, Albo, Black, Blevins, Bryant, Callahan, Cantor, Cox, Drake, Hargrove, Harris, Jones, J.C., Nixon, Reid, Ruff, Sherwood, Van Yahres, Weatherholtz and Wilkins; Senator: Lambert

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That §§ 53.1-45 and 53.1-47 of the Code of Virginia are amended and reenacted as follows:

§ 53.1-45. Sale of prison goods and services; print shop.

A. Articles produced or manufactured and services provided by prisoners sentenced to state correctional facilities may be disposed of by the Director by sale ~~only~~ to municipal and county agencies in Virginia and to federal, state and local public agencies within or without the Commonwealth or as the Director, with the approval of the Governor, may deem to be in the best interests of the Commonwealth. ~~Except as otherwise provided, no articles~~ *Articles* produced or manufactured ~~not~~ and services provided by prisoners may be bought, sold or acquired by exchange on the open market.

B. The products of any printing shop in any state correctional facility ~~shall~~ *may* be sold ~~only~~ to the departments, institutions and agencies of the Commonwealth which are supported in whole or in part with funds from the state treasury and to offices or agencies of the counties, cities and towns of the Commonwealth. Such products ~~shall not~~ *may* be sold on the open market ~~except~~ as provided in § 53.1-45.1.

C. The Department shall not offer manufactured goods for resale to any department, agency or institution of the state unless those goods (i) have been incorporated into a finished product produced or manufactured by prisoners, (ii) are necessary for use with a product produced or manufactured by prisoners, or (iii) are a component part of a product system, a portion of which comprises goods produced or manufactured by prisoners.

§ 53.1-47. Purchases by agencies, localities and certain nonprofit organizations.

Articles and services produced or manufactured by persons confined in state correctional facilities:

1. ~~Shall~~ *May* be purchased by all departments, institutions and agencies of the Commonwealth which are supported in whole or in part with funds from the state treasury for their use or the use of persons whom they assist financially. ~~Except as provided in § 53.1-48, no such articles or services shall be purchased by any department, institution or agency of the Commonwealth from any other source; and;~~

2. *May* be purchased by any county, district of any county, city or town and by any nonprofit organization, including volunteer lifesaving or first aid crews, rescue squads, fire departments, sheltered workshops and community service organizations; *and*

3. *May be bought, sold or acquired by exchange on the open market.*

2. That §§ 53.1-48 and 53.1-49 of the Code of Virginia are repealed.

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