

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

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

4 [H 263]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 53.1-48 of the Code of Virginia is amended and reenacted as follows:**

8 § 53.1-48. Exceptions as to purchases.

9 ~~The Director of the Division of Purchases and Supply may exempt a~~ A department, institution or  
10 agency of the Commonwealth ~~may be granted an exemption from the provisions of § 53.1-47 with the~~  
11 ~~consent of both the Director of the Division of Purchases and Supply and the Chief Executive Officer of~~  
12 ~~the Virginia Correctional Enterprises Program in any case where, in the opinion of the Director, (i) the~~  
13 ~~article so produced or manufactured does not meet the reasonable requirements of such the department,~~  
14 ~~institution or agency, (ii) an identical article can be obtained at a verified lesser cost from the private~~  
15 ~~sector, which is evidenced by a verified request for pricing, or (iii) the requisition made cannot be~~  
16 ~~complied with on account of an insufficient supply of the articles or supplies required, or otherwise. In~~  
17 ~~any case where an exemption from the provisions of § 53.1-47 is granted as provided in this section, the~~  
18 ~~Director of Purchases and Supply grants an exemption from the provisions of § 53.1-47, he and the~~  
19 ~~Chief Executive Officer of the Virginia Correctional Enterprises Program shall submit a written~~  
20 ~~justification for the exemption to the Director of the Department of Corrections and the Director of the~~  
21 ~~Department of General Services.~~

22 **2. That on or before November 30, 2012, the Director of the Department of General Services and**  
23 **the Director of the Department of Corrections shall report to the Governor and the General**  
24 **Assembly on the impact of the implementation of the provisions of this act, including any cost**  
25 **savings to the Commonwealth, any efficiencies realized, and the impact on prisoner re-entry and**  
26 **safety in correctional institutions. The Departments may include in the report recommendations**  
27 **for improvement of the process that is the subject of this act.**

ENROLLED

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