

# 2021 SESSION

INTRODUCED

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## SENATE BILL NO. 1222

Offered January 13, 2021

Prefiled January 11, 2021

A *BILL to amend the Code of Virginia by adding a section numbered 2.2-4328.1, relating to the Virginia Public Procurement Act; purchase of personal protective equipment.*

Patron—DeSteph

Referred to Committee on General Laws and Technology

### Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 2.2-4328.1 as follows:

#### **§ 2.2-4328.1. Purchase of personal protective equipment by state agencies.**

A. Notwithstanding any provision of law to the contrary, whenever a state agency purchases personal protective equipment (PPE) for public use, such PPE shall be purchased (i) from a Virginia-based company or a manufacturer that uses materials or product components made in Virginia or the United States or (ii) when PPE is unavailable from such companies or manufacturers, from a United States-based manufacturer using materials or product components made in the United States, if available.

B. If a state agency is unable to purchase PPE in accordance with subsection A, it may purchase PPE from another company or manufacturer so long as the state agency ensures that the PPE is tested by an independent laboratory to ensure compliance with all applicable federal and international certifications and requirements for such products. A state agency may purchase PPE without the need for additional independent laboratory testing if the manufacturer of such PPE provides verifiable proof of internal and independent testing by an accredited United States laboratory or testing facility at the time of purchase.

C. State agencies shall comply with the provisions of this section unless it can be demonstrated that no responsible bidder can be found.

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