

By: Senator(s) Thames

To: Fees, Salaries and Administration

SENATE BILL NO. 2800
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 31-7-15, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE STATE DEPARTMENTS, AGENCIES, BOARDS, COMMISSIONS OR
3 INSTITUTIONS WHEN ENTERING INTO CONTRACTS FOR THE PURCHASE OF
4 PRINTING SERVICES TO PURCHASE SUCH SERVICES FROM A PRINTING
5 COMPANY LOCATED AND DOING BUSINESS WITHIN THE UNITED STATES; AND
6 FOR RELATED PURPOSES.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8 **SECTION 1.** Section 31-7-15, Mississippi Code of 1972, is
9 amended as follows:

10 31-7-15. (1) Whenever two (2) or more competitive bids are
11 received, one or more of which relates to commodities grown,
12 processed or manufactured within this state, and whenever all
13 things stated in such received bids are equal with respect to
14 price, quality and service, the commodities grown, processed or
15 manufactured within this state shall be given preference. A
16 similar preference shall be given to commodities grown, processed
17 or manufactured within this state whenever purchases are made
18 without competitive bids, and when practical the Department of
19 Finance and Administration may by regulation establish reasonable
20 preferential policies for other commodities, giving preference to
21 resident suppliers of this state.

22 (2) Any foreign manufacturing company with a factory in the
23 state and with over fifty (50) employees working in the state
24 shall have preference over any other foreign company where both
25 price and quality are the same, regardless of where the product is
26 manufactured.

27 (3) On or before January 1, 1991, the Department of Finance
28 and Administration shall adopt bid and product specifications to
29 be utilized by all state agencies that encourage the procurement

30 of commodities made from recovered materials. Preference in
31 awarding contracts for commodities shall be given to commodities
32 offered at a competitive price.

33 (4) Each state agency is required to procure products made
34 from recovered materials when those products are available at a
35 competitive price. For purposes of this subsection, "competitive
36 price" means a price not greater than ten percent (10%) above the
37 lowest and best bidder. A decision not to procure products made
38 from recovered materials must be based on a determination that
39 such procurement:

40 (a) Is not available within a reasonable period of
41 time; or

42 (b) Fails to meet the performance standards set forth
43 in the applicable specifications; or

44 (c) Is not available at a competitive price.

45 (5) Whenever any state department, agency, board, commission
46 or institution enters into any contract for the purchase of
47 printing services, it shall purchase such services from a printing
48 company located and doing business within the United States. This
49 subsection shall not apply to contracts entered into pursuant to
50 Section 1-1-107.

51 **SECTION 2.** This act shall take effect and be in force from
52 and after July 1, 2004.