

**Tabled
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 2800

BY: Committee

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

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

9 31-7-15. (1) Whenever two (2) or more competitive bids are
10 received, one or more of which relates to commodities grown,
11 processed or manufactured within this state, and whenever all
12 things stated in such received bids are equal with respect to
13 price, quality and service, the commodities grown, processed or
14 manufactured within this state shall be given preference. A
15 similar preference shall be given to commodities grown, processed
16 or manufactured within this state whenever purchases are made
17 without competitive bids, and when practical the Department of
18 Finance and Administration may by regulation establish reasonable
19 preferential policies for other commodities, giving preference to
20 resident suppliers of this state.

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

26 (3) On or before January 1, 1991, the Department of Finance
27 and Administration shall adopt bid and product specifications to
28 be utilized by all state agencies that encourage the procurement
29 of commodities made from recovered materials. Preference in
30 awarding contracts for commodities shall be given to commodities
31 offered at a competitive price.

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

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

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

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

44 (5) Whenever any state department, agency, board, commission
45 or institution enters into any contract for the purchase of
46 printing services, it shall purchase such services from a printing
47 company that is a Mississippi business. For purposes of this
48 subsection, "Mississippi business" means a corporation,
49 individual, partnership, association, organization or other entity
50 that is (i) domiciled in Mississippi, (ii) subject to Mississippi
51 income tax laws, (iii) subject to Mississippi sales tax laws, and
52 (iv) has one or more employees who are domiciled in Mississippi
53 and subject to Mississippi income tax laws. This subsection shall
54 not apply to contracts entered into pursuant to Section 1-1-107.

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

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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 MISSISSIPPI
5 BUSINESS; AND FOR RELATED PURPOSES.