

By: Senator(s) Williamson, Doxey

To: Corrections; Fees,  
Salaries and Administration

SENATE BILL NO. 2680

1 AN ACT TO AMEND SECTION 31-7-15, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE REGIONAL PRISONS TO GIVE PREFERENCE TO COMMODITIES SOLD BY  
3 LOCAL MERCHANTS; AND FOR RELATED PURPOSES.

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

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

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

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

24 (3) On or before January 1, 1991, the Department of Finance  
25 and Administration shall adopt bid and product specifications to  
26 be utilized by all state agencies that encourage the procurement  
27 of commodities made from recovered materials. Preference in

28 awarding contracts for commodities shall be given to commodities  
29 offered at a competitive price.

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

37 (a) Is not available within a reasonable period of  
38 time; or

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

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

42 (5) Whenever economically feasible, each state agency is  
43 required to purchase products manufactured or sold by the  
44 Mississippi Industries for the Blind.

45 (6) When regional prisons purchase products or commodities,  
46 the regional prisons shall give preference to products and  
47 commodities sold by local merchants and suppliers.

48 **SECTION 2.** This act shall take effect and be in force from  
49 and after July 1, 2007.