

By: Senator(s) Thames

To: Fees, Salaries and
Administration;
Appropriations

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2484

1 AN ACT TO AMEND SECTION 31-7-15, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE STATE AGENCIES TO PURCHASE PRODUCTS MANUFACTURED BY THE
3 MISSISSIPPI INDUSTRIES FOR THE BLIND WHENEVER ECONOMICALLY
4 FEASIBLE; AND FOR RELATED PURPOSES.

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

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

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

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

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

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

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

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

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

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

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

46 **SECTION 2.** This act shall take effect and be in force from
47 and after July 1, 2005.