

By: Senator(s) Thames

To: Fees, Salaries and  
Administration;  
Appropriations

SENATE BILL NO. 2484  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 31-7-15, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE STATE AGENCIES TO PURCHASE PRODUCTS MANUFACTURED OR SOLD  
3 BY THE 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 or sold by the  
45 Mississippi Industries for the Blind.

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