

House Bill 91

By: Representative Coleman of the 144<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia  
2 Annotated, relating to general authority, duties, and procedure of the Department of  
3 Administrative Services, so as to define certain terms; to provide for a preference in certain  
4 state and local government purchasing contracts for vendors who are residents of Georgia  
5 or for products of Georgia; to provide for application; to repeal conflicting laws; and for  
6 other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated,  
10 relating to general authority, duties, and procedure of the Department of Administrative  
11 Services, is amended by inserting immediately following Code Section 50-5-60.5, a new  
12 Code section to read as follows:

13 "50-5-60.6.

14 (a) As used in this Code section, unless the context indicates otherwise, the term:

15 (1) 'Made' means to assemble, fabricate, or process component parts into a finished  
16 end-product, the value of which assembly, fabrication, or processing is a significant  
17 portion of the value of the finished end-product.

18 (2) 'Political subdivision' shall include state and local authorities, local governments, and  
19 county and independent school districts.

20 (3) 'Resident vendor' means a vendor who:

21 (A) Is an individual, partnership, association, or corporation that is authorized to  
22 transact business within this state;

23 (B) Maintains an office in this state;

24 (C)(i) Maintains an inventory located in Georgia of uniforms of the general type of  
25 uniforms for which the bid is submitted having a total value of \$10,000.00 or more  
26 based on the bid price; or

1 (ii) Is a manufacturer which is headquartered and has a payroll in Georgia and the  
2 uniform is made or processed from materials into a finished end-product by such  
3 manufacturer or an affiliate, as defined in Section 1563 of the Internal Revenue Code,  
4 of such manufacturer; and

5 (D) Has paid all assessed taxes.

6 (4) 'Uniform' means any garment purchased by the state or a political subdivision of the  
7 state for wear by a class of employees of the state or such political subdivision.

8 (5) 'Unreasonable cost' means the cost of a uniform from a resident vendor or a uniform  
9 made in Georgia which exceeds by more than 10 percent the lowest qualified bid on the  
10 same uniform which is made in other states or in a foreign country or territory.

11 (b) In all competitive procurements made by the state or a political subdivision of the state  
12 for the purchase of uniforms, a preference must be provided to resident vendors, if  
13 available, provided that:

14 (1) The bidder has certified in writing in the bid that he or she is a resident of this state;  
15 or

16 (2) The bidder has certified in writing in the bid that the uniform was made in Georgia  
17 and is available and the cost is not unreasonable.

18 In order to receive the award, the vendor must be a responsible and responsive bidder and  
19 the bid must otherwise comply with all applicable laws and regulations."

## 20 SECTION 2.

21 All laws and parts of laws in conflict with this Act are repealed.