

The House Committee on State Institutions and Property offers the following substitute to HB 382:

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 for state purchasing, so as to
3 modify provisions relating to goods and services required to be obtained from correctional
4 industries; to provide that goods and services shall only be required to be obtained from
5 correctional industries when such goods or services are of equal or better quality or cost as
6 similarly available goods and services; to provide for related matters; to provide an effective
7 date; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated,
11 relating to general authority, duties, and procedure for state purchasing, is amended by
12 revising Code Section 50-5-73, relating to goods and services to be obtained from
13 correctional industries when certified as available, as follows:

14 "50-5-73.

15 (a) All services provided or goods, wares, or merchandise produced wholly or in part by
16 the Georgia Correctional Industries Administration and needed by the departments,
17 institutions, and agencies of the state and its political subdivisions supported wholly or in
18 part by public funds shall be obtained from the Georgia Correctional Industries
19 Administration where such services, goods, wares, or merchandise ~~have been certified in~~
20 ~~writing by the commissioner of corrections as~~ are available and of competitive equal or
21 better quality and price. ~~Where not certified as available from the Georgia Correctional~~
22 ~~Industries Administration, services, goods, wares, or merchandise shall be obtained from~~
23 ~~other agencies or activities of the state which are legally authorized to engage in the~~
24 ~~provision of such and have certified the availability with the advice and consent of the~~
25 ~~Department of Administrative Services.~~

H. B. 382 (SUB)

26 (b) The Georgia Correctional Industries Administration and the commissioner of
27 corrections shall report to the Department of Administrative Services the ~~certification~~
28 ~~criteria, including but not limited to cost, specifications, delivery schedules, and availability~~
29 ~~within 15 days of notice of certification of all services provided or goods, wares, or~~
30 merchandise produced wholly or in part by the Georgia Correctional Industries
31 Administration.

32 (c) The Georgia Correctional Industries Administration shall notify the Department of
33 Administrative Services of any changes to ~~certified~~ products or services available pursuant
34 to this Code section within 15 days of any such changes."

35 **SECTION 3.**

36 This Act shall become effective on July 1, 2010, and shall apply to all agreements entered
37 into on or after such date.

38 **SECTION 4.**

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