

2017 Regular Session

SENATE BILL NO. 163

BY SENATOR MIZELL

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CORRECTIONAL FACILITIES. Provides an exemption from the requirement that state prisons purchase goods from Prison Enterprises, if the goods can be purchased for less in the parish in which the facility is located. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 15:1157(A), relative to the purchase of goods by state prisons;
3 to authorize the purchase of goods and services in the parish in which a state prison
4 is located if the purchase price is lower; to provide relative to compliance with the
5 goals of the Hudson and Veterans Initiatives; to provide for an effective date; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 15:1157(A) is hereby amended and reenacted to read as follows:

9 §1157. Sales of goods and services; contractual powers

10 A.(1) Except as provided in Subparagraph (2) of this Paragraph, state
11 ~~State~~ agencies shall purchase, if available, goods and services from prison
12 enterprises, or products manufactured in a certified Private Sector/Prison Industry
13 Enhancement Program, if the prices are less than those of central purchasing.

14 (2) State agencies which operate a state prison may purchase, if
15 available, goods and services from vendors located in the parish in which the
16 prison facility is located, if the prices are less than those of central purchasing
17 or prison enterprises, and the vendor meets the requirements of the Hudson

Initiative, R.S. 39:2001, et seq., or the Veterans Initiative, R.S. 39:2171, et seq.

(3) Goods and services may be sold to the governing authorities of parishes, municipalities, other political subdivisions, and public employees.

~~(3)~~**(4)** Services shall be provided at a cost that is not less than the cost to the department for providing the services. Manufactured products shall be provided at a cost that is not less than the cost of the raw materials used to manufacture the product. If the manufactured product is deemed to be spoiled, overstocked, obsolete or otherwise not salable at a cost equal to or greater than the raw material cost of the manufactured product and can be documented as such, the director may authorize a sale at less than the raw material cost. Sales of manufactured products to public employees shall be priced at the current prison enterprises contract price or based on established and documented pricing methodologies.

* * *

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Martha Hess.

DIGEST

SB 163 Engrossed

2017 Regular Session

Mizell

Present law provides that state agencies shall purchase, if available, goods and services from prison enterprises, or products manufactured in a certified Private Sector/Prison Industry Enhancement Program, if the prices are less than those of central purchasing.

Proposed law provides that state agencies which operate a state prison may purchase, if available, goods and services from vendors located in the parish in which the prison facility is located if the prices are less than those of central purchasing or prison enterprises, and the vendor meets the requirements of the Hudson Initiative and the Veterans Initiative.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 15:1157(A))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the original bill

1. Adds provision for vendors to meet the requirements of the Hudson Initiative and the Veterans Initiative.