

By: Giddings

H.B. No. 1810

A BILL TO BE ENTITLED

AN ACT

relating to the sale of prison-made products to certain persons.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 497.021, Government Code, is amended to read as follows:

Sec. 497.021. AUTHORITY. This subchapter governs the sale of prison-made products [~~to governmental agencies~~].

SECTION 2. Section 497.022, Government Code, is amended to read as follows:

Sec. 497.022. CONTRACTS. The department may contract with:

(1) another state, the federal government, a foreign government, or an agency of any of those governments to manufacture for or sell to those governments prison-made articles or products;

(2) a private or independent institution of higher education to manufacture for or sell to that school or institution prison-made articles or products; ~~[or]~~

(3) a private vendor that contracts with the department under Chapter 495 to manufacture for or sell to that private vendor prison-made articles or products;

(4) an employee or retired employee of a state agency, as defined by Section 2052.101, to sell to that employee or retired employee prison-made articles or products; or

(5) a private school or a visually handicapped person in this state to manufacture Braille textbooks or other

1 instructional aids for the education of visually handicapped  
2 persons.

3 SECTION 3. Section 497.025, Government Code, is amended by  
4 adding Subsections (d), (e), and (f) to read as follows:

5 (d) The board shall adopt rules and develop best practices  
6 governing the purchase of articles and products under this  
7 subchapter by a private vendor that contracts with the department  
8 under Chapter 495, provided that:

9 (1) the articles and products may be shipped or used  
10 only in this state and may not be resold or transferred to another  
11 facility in this state that is not operating under a contract with  
12 the department at the time of the transfer; and

13 (2) the office may not sell articles and products to a  
14 private vendor if the private vendor currently purchases the  
15 articles or products from a private business that has its primary  
16 place of business in this state.

17 (e) The board shall:

18 (1) for the purpose of verifying compliance with this  
19 subchapter, require a private vendor described by Subsection (d) to  
20 identify the businesses with whom the vendor currently purchases  
21 the same or similar items for the preceding 12 months before placing  
22 an order with the office; and

23 (2) report any savings realized by a private vendor  
24 described by Subsection (d) under this subchapter to the  
25 legislature in the department's annual fiscal year review.

26 (f) The board shall adopt rules governing the purchase of  
27 articles and products under this subchapter by an employee or

1 retired employee of a state agency, as defined by Section 2052.101.  
2 The rules must provide that articles and products may be shipped and  
3 used only in this state and may not be resold. In adopting the  
4 rules, the board shall determine:

- 5 (1) the articles and products available for purchase;
- 6 (2) the minimum quantity or price of an order;
- 7 (3) the delivery and production schedule; and
- 8 (4) any other factors relevant to ensuring that the  
9 office is not impeded in effectively meeting the purposes of this  
10 subchapter.

11 SECTION 4. Section 497.028, Government Code, is amended to  
12 read as follows:

13 Sec. 497.028. CATALOGS. The office shall prepare catalogs  
14 that accurately and completely describe articles and products  
15 produced under this subchapter. The office shall send copies of the  
16 catalogs to all state agencies and make the catalogs available to  
17 political subdivisions, private vendors that contract with the  
18 department under Chapter 495, and employees and retired employees  
19 of state agencies, as defined by Section 2052.101.

20 SECTION 5. Not later than August 31, 2016, the Texas Board  
21 of Criminal Justice shall adopt rules as required by Sections  
22 497.025(d) and (f), Government Code, as added by this Act.

23 SECTION 6. This Act takes effect September 1, 2015.