

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) and (e) 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; and

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

15 (e) The board shall adopt rules governing the purchase of
16 articles and products under this subchapter by an employee or
17 retired employee of a state agency, as defined by Section [2052.101](#).
18 The rules must provide that articles and products may be shipped and
19 used only in this state and may not be resold. In adopting the
20 rules, the board shall determine:

21 (1) the articles and products available for purchase;
22 (2) the minimum quantity or price of an order;
23 (3) the delivery and production schedule; and
24 (4) any other factors relevant to ensuring that the
25 office is not impeded in effectively meeting the purposes of this
26 subchapter.

27 SECTION 4. Section [497.028](#), Government Code, is amended to

1 read as follows:

2 Sec. 497.028. CATALOGS. The office shall prepare catalogs
3 that accurately and completely describe articles and products
4 produced under this subchapter. The office shall send copies of the
5 catalogs to all state agencies and make the catalogs available to
6 political subdivisions, private vendors that contract with the
7 department under Chapter 495, and employees and retired employees
8 of state agencies, as defined by Section [2052.101](#).

9 SECTION 5. Not later than August 31, 2016, the Texas
10 Department of Criminal Justice shall adopt rules as required by
11 Sections [497.025](#)(d) and (e), Government Code, as added by this Act.

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