

1-1 By: Giddings (Senate Sponsor - Huffines) H.B. No. 1810
 1-2 (In the Senate - Received from the House May 14, 2015;
 1-3 May 15, 2015, read first time and referred to Committee on Criminal
 1-4 Justice; May 22, 2015, reported favorably by the following vote:
 1-5 Yeas 6, Nays 1; May 22, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10		X		
1-11	X			
1-12	X			
1-13	X			
1-14	X			

1-15 A BILL TO BE ENTITLED
 1-16 AN ACT

1-17 relating to the sale of prison-made products to certain persons.
 1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-19 SECTION 1. Section 497.021, Government Code, is amended to
 1-20 read as follows:
 1-21 Sec. 497.021. AUTHORITY. This subchapter governs the sale
 1-22 of prison-made products [~~to governmental agencies~~].
 1-23 SECTION 2. Section 497.022, Government Code, is amended to
 1-24 read as follows:
 1-25 Sec. 497.022. CONTRACTS. The department may contract with:
 1-26 (1) another state, the federal government, a foreign
 1-27 government, or an agency of any of those governments to manufacture
 1-28 for or sell to those governments prison-made articles or products;
 1-29 (2) a private or independent institution of higher
 1-30 education to manufacture for or sell to that school or institution
 1-31 prison-made articles or products; [~~or~~]
 1-32 (3) a private vendor that contracts with the
 1-33 department under Chapter 495 to manufacture for or sell to that
 1-34 private vendor prison-made articles or products;
 1-35 (4) an employee or retired employee of a state agency,
 1-36 as defined by Section 2052.101, to sell to that employee or retired
 1-37 employee prison-made articles or products; or
 1-38 (5) a private school or a visually handicapped person
 1-39 in this state to manufacture Braille textbooks or other
 1-40 instructional aids for the education of visually handicapped
 1-41 persons.
 1-42 SECTION 3. Section 497.025, Government Code, is amended by
 1-43 adding Subsections (d), (e), and (f) to read as follows:
 1-44 (d) The board shall adopt rules and develop best practices
 1-45 governing the purchase of articles and products under this
 1-46 subchapter by a private vendor that contracts with the department
 1-47 under Chapter 495, provided that:
 1-48 (1) the articles and products may be shipped or used
 1-49 only in this state and may not be resold or transferred to another
 1-50 facility in this state that is not operating under a contract with
 1-51 the department at the time of the transfer; and
 1-52 (2) the office may not sell articles and products to a
 1-53 private vendor if the private vendor currently purchases the
 1-54 articles or products from a private business that has its primary
 1-55 place of business in this state.
 1-56 (e) The board shall:
 1-57 (1) for the purpose of verifying compliance with this
 1-58 subchapter, require a private vendor described by Subsection (d) to
 1-59 identify the businesses with whom the vendor currently purchases
 1-60 the same or similar items for the preceding 12 months before placing
 1-61 an order with the office; and

2-1 (2) report any savings realized by a private vendor
2-2 described by Subsection (d) under this subchapter to the
2-3 legislature in the department's annual fiscal year review.

2-4 (f) The board shall adopt rules governing the purchase of
2-5 articles and products under this subchapter by an employee or
2-6 retired employee of a state agency, as defined by Section 2052.101.
2-7 The rules must provide that articles and products may be shipped and
2-8 used only in this state and may not be resold. In adopting the
2-9 rules, the board shall determine:

- 2-10 (1) the articles and products available for purchase;
 - 2-11 (2) the minimum quantity or price of an order;
 - 2-12 (3) the delivery and production schedule; and
 - 2-13 (4) any other factors relevant to ensuring that the
- 2-14 office is not impeded in effectively meeting the purposes of this
2-15 subchapter.

2-16 SECTION 4. Section 497.028, Government Code, is amended to
2-17 read as follows:

2-18 Sec. 497.028. CATALOGS. The office shall prepare catalogs
2-19 that accurately and completely describe articles and products
2-20 produced under this subchapter. The office shall send copies of the
2-21 catalogs to all state agencies and make the catalogs available to
2-22 political subdivisions, private vendors that contract with the
2-23 department under Chapter 495, and employees and retired employees
2-24 of state agencies, as defined by Section 2052.101.

2-25 SECTION 5. Not later than August 31, 2016, the Texas Board
2-26 of Criminal Justice shall adopt rules as required by Sections
2-27 497.025(d) and (f), Government Code, as added by this Act.

2-28 SECTION 6. This Act takes effect September 1, 2015.

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