

FIRST REGULAR SESSION

HOUSE BILL NO. 326

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES HOBBS (Sponsor), YATES, BYRD, WITTE, DAY, RICHARD, MYERS, MEADOWS, HARRIS (110), LAMPE, BAKER (25), MUNZLINGER, ERVIN, DARROUGH, WELLS, SUTHERLAND AND WILSON (130) (Co-sponsors).

Read 1st time January 26, 2005 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

0514L.01I

AN ACT

To repeal section 34.165, RSMo, and to enact in lieu thereof one new section relating to state purchasing and printing.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 34.165, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 34.165, to read as follows:

34.165. 1. In making purchases for this state, its governmental agencies or political subdivisions, the commissioner of administration shall give a bidding preference consisting of a [five-point] **twenty-five-point** bonus on bids for products and services manufactured, produced or assembled in qualified nonprofit organizations for the blind established pursuant to the provisions of 41 U.S.C. sections 46 to 48c, as amended and in sheltered workshops holding a certificate of approval from the department of elementary and secondary education pursuant to section 178.920, RSMo, **if the work generates in excess of five thousand dollars in annual revenue for the participating nonprofit organization.**

2. **The nonprofit organization mentioned in subsection 1 of this section shall be designated as a minority business for purposes of state purchasing.**

3. **An affidavit signed by the director or manager and the board president of a participating nonprofit organization shall be provided to the purchasing agency by the contractor at the completion of the contract or within thirty days of the first anniversary**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

14 **of the contract, whichever comes first, verifying compliance.**

15 **4.** The commissioner of administration shall make such rules and regulations regarding
16 specifications, quality standards, time of delivery, performance and other relevant matters as
17 shall be necessary to carry out the purpose of this section. No rule or portion of a rule
18 promulgated pursuant to the authority of this section shall become effective unless it has been
19 promulgated pursuant to the provisions of section 536.024, RSMo.

20 **[3.] 5.** At the request of the commissioner of administration, the state auditor may
21 examine all records, books and data of any qualified nonprofit organization for the blind to
22 determine the costs of manufacturing products or rendering services and the manner and
23 efficiency of production and administration of such nonprofit organization with relation to any
24 product or services purchased by this state, its governmental agencies or political subdivisions
25 and to furnish the results of such examination to the commissioner for appropriate action.