

House Study Bill 49 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON RIZER)

A BILL FOR

1 An Act concerning requirements for state purchasing from prison
2 industries.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 904.808, subsection 1, paragraph b, Code
2 2017, is amended to read as follows:

3 b. When the state director of the department of
4 administrative services releases, in writing, the obligation
5 of the department or agency to purchase the product from
6 Iowa state industries, after determining that Iowa state
7 industries is unable to meet the performance characteristics
8 of the purchase request for the product, ~~and a copy of the~~
9 ~~release is attached to the request to the director of the~~
10 ~~department of administrative services for payment for a similar~~
11 ~~product,~~ or when Iowa state industries is unable to furnish
12 needed products, comparable in both quality and price to those
13 available from alternative sources, within a reasonable length
14 of time. ~~Any disputes arising between a purchasing department~~
15 ~~or agency and Iowa state industries regarding similarity~~
16 ~~of products, or comparability of quality or price, or the~~
17 ~~availability of the product, shall be referred to the director~~
18 ~~of the department of administrative services, whose decision~~
19 ~~shall be subject to appeal as provided in [section 8A.313](#).~~
20 ~~However, if the purchasing department is the department of~~
21 ~~administrative services, any matter which would be referred~~
22 ~~to the director under this paragraph shall be referred to the~~
23 ~~executive council in the same manner as if the matter were to~~
24 ~~be heard by the director of the department of administrative~~
25 ~~services. The decision of the executive council is final.~~

26 Sec. 2. REPEAL. Section 8A.313, Code 2017, is repealed.

27

EXPLANATION

28 The inclusion of this explanation does not constitute agreement with
29 the explanation's substance by the members of the general assembly.

30 This bill concerns the purchase of products manufactured by
31 Iowa state (prison) industries by state agencies.

32 Code section 904.808, concerning state government
33 purchasing, is amended to provide that the director of the
34 department of administrative services, and not the director
35 of the Iowa department of corrections, has the authority to

1 release a state agency from the requirement to purchase from
2 Iowa prison industries after determining that Iowa prison
3 industries is unable to meet the performance characteristics of
4 the purchase request for the product, or is unable to furnish
5 needed products, comparable in both quality and price to those
6 available from alternative sources, within a reasonable length
7 of time. Code section 8A.313, concerning an appeal to the
8 director of the department of administrative services relative
9 to disputes arising between the department of corrections and
10 a purchasing department or agency over the procurement of
11 products from Iowa state industries, is repealed.