

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 654
Committee Substitute Favorable 6/2/21
Third Edition Engrossed 6/3/21

Short Title: Statewide Contracts/Nonprofits for the Blind.

(Public)

Sponsors:

Referred to:

April 26, 2021

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT ALL STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES SHALL PURCHASE GOODS AND SERVICES FROM NONPROFIT WORK CENTERS FOR THE BLIND AND SEVERELY DISABLED WHERE SOURCES OF SUPPLY HAVE BEEN APPROVED, ESTABLISHED BY CONTRACT, AND CERTIFIED BY THE SECRETARY OF ADMINISTRATION.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 143-129.5 reads as rewritten:

"§ 143-129.5. Purchases from nonprofit work centers for the blind and severely disabled.

(a) Notwithstanding G.S. 143-129, a city, county, or other governmental entity subject to this Article may purchase goods and services directly from a nonprofit work center for the blind and severely disabled, as defined in G.S. 143-48.

(b) The Secretary of Administration shall, at least annually, canvass nonprofit work centers for the blind and severely disabled for goods and services required by the State government or any of its departments, institutions, or agencies and shall purchase or contract for the purchase, lease, or lease-purchase of those goods and services. The Secretary shall establish and enforce specifications that shall apply to all goods and services to be purchased or leased from the nonprofit work centers for the use of the State government or any of its departments, institutions, or agencies. Where sources of supply have been established by contract and certified by the Secretary of Administration to State departments, institutions, and agencies, it shall be the duty of all State departments, institutions, and agencies to make requisition or issue orders on forms to be prescribed by the Secretary of Administration for purchases required by them upon the sources of supply so certified. It shall be unlawful for any State department, institution, or agency to purchase from other sources than those certified by the Secretary unless the requisition cannot be fulfilled because of insufficient availability of good or services required. The Secretary shall, in any contract or lease, require that the nonprofit work centers maintain the price of goods or services substantially in accord with that paid by governmental agencies for similar goods or services of equivalent quality. The provisions of G.S. 143-52 shall not apply to purchases made pursuant to this section. However, nothing in this section shall prohibit a nonprofit work center from submitting bids or making offers for contracts under G.S. 143-52.

(c) The Department of Administration shall report annually to the Joint Legislative Commission on Governmental Operations Oversight Committee on General Government on its administration of this program. the programs described in subsections (a) and (b) of this section."

SECTION 2. G.S. 143-48.2 reads as rewritten:



1 "§ 143-48.2. Procurement program for nonprofit work centers for the blind and the
2 severely disabled.

3 (a) An agency subject to the provisions of this Article for the procurement of goods may
4 purchase goods directly from a nonprofit work center for the blind and severely disabled, subject
5 to the following provisions:

6 ...

7 (2) The goods must not be available under a State requirements ~~contract~~contract,
8 except as provided in G.S. 143-129.5.

9 ...

10 (b) An agency subject to the provisions of this Article for the procurement of services
11 may purchase services directly from a nonprofit work center for the blind and severely disabled,
12 subject to the following provisions:

13 (1) The services must not be available under a State requirements
14 ~~contract~~contract, except as provided in G.S. 143-129.5.

15"

16 **SECTION 2.5.** There is appropriated from the General Fund to the Department of
17 Administration the sum of thirty thousand dollars (\$30,000) in nonrecurring funds for the
18 2021-2022 fiscal year to implement the provisions of this act.

19 **SECTION 3.** Sections 1 and 2 of this act become effective October 1, 2021, and
20 apply to requisitions made on or after that date. The remainder of this act becomes effective July
21 1, 2021.