

SECOND REGULAR SESSION

SENATE BILL NO. 703

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HEGEMAN.

Pre-filed December 1, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

4291S.01I

AN ACT

To repeal section 34.165, RSMo, and to enact in lieu thereof one new section relating to state bidding for certain entities.

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Section A. Section 34.165, RSMo, is repealed and one new section enacted

2 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
2 or political subdivisions, the commissioner of administration shall give a bidding
3 preference consisting of **at least a [ten-point] five-point bonus and no**
4 **greater than a fifteen-point** bonus on bids for products and services
5 manufactured, produced or assembled in qualified nonprofit organizations for the
6 blind established pursuant to the provisions of 41 U.S.C. Sections 46 to 48c, as
7 amended and in sheltered workshops holding a certificate of approval from the
8 department of elementary and secondary education pursuant to section 178.920
9 if, **at a minimum**, the participating nonprofit organization **or workshop**
10 provides the greater of two percent or five thousand dollars of the total contract
11 value of bids for purchase not exceeding ten million dollars. **The bonus points**
12 **shall be awarded on the basis of a sliding scale, as determined in rule**
13 **by the commissioner of administration, based on revenue generation**
14 **for and utilization of qualified nonprofit organizations for the blind or**
15 **sheltered workshops, with the bonus points increasing as the revenue**
16 **generation for and utilization of such organizations and workshops**
17 **increases.**

18 2. An affidavit signed by the director or manager and the board president
19 of a participating nonprofit organization shall be provided to the purchasing

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 agency by the contractor at the completion of the contract or within thirty days
21 of the first anniversary of the contract, whichever first occurs, verifying
22 compliance.

23 3. The commissioner of administration shall make such rules and
24 regulations regarding specifications, quality standards, time of delivery,
25 performance, **bidding preferences**, and other relevant matters as shall be
26 necessary to carry out the purpose of this section. No rule or portion of a rule
27 promulgated pursuant to the authority of this section shall become effective
28 unless it has been promulgated pursuant to the provisions of section 536.024.

29 4. At the request of the commissioner of administration, the state auditor
30 may examine all records, books and data of any qualified nonprofit organization
31 for the blind to determine the costs of manufacturing products or rendering
32 services and the manner and efficiency of production and administration of such
33 nonprofit organization with relation to any product or services purchased by this
34 state, its governmental agencies or political subdivisions and to furnish the
35 results of such examination to the commissioner for appropriate action.

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