

**WEST VIRGINIA LEGISLATURE**

REGULAR SESSION, 1993



**ENROLLED**

**SENATE BILL NO.** 572

(By Senator Minard, et al)



**PASSED** April 10, 1993

In Effect 90 days from Passage

**E N R O L L E D**

**Senate Bill No. 572**

(BY SENATORS MINARD, WIEDEBUSCH, DITTMAR,  
HOLLIDAY, FELTON AND YODER)

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[Passed April 10, 1993; in effect ninety days from passage.]

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AN ACT to amend and reenact section six, article three-a, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to exceptions on purchases from the handicapped.

*Be it enacted by the Legislature of West Virginia:*

That section six, article three-a, chapter five-a of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

**ARTICLE 3A. CENTRAL NONPROFIT COORDINATING AGENCY AND  
COMMITTEE FOR THE PURCHASE OF COMMODI-  
TIES AND SERVICES FROM THE HANDICAPPED.**

**§5A-3A-6. Exceptions.**

- 1 The purchasing unit is exempt from the operation of
- 2 the mandatory provisions of section ten, article three
- 3 of this chapter when:
  - 4 (1) The director of purchasing determines that the
  - 5 commodity or printing so produced or provided does
  - 6 not meet the reasonable requirements of the purchas-
  - 7 ing unit;
  - 8 (2) The committee or central nonprofit agency

9 determines that a nonprofit workshop cannot reason-  
10 ably provide the commodity or printing;

11 (3) The purchasing director determines, after consid-  
12 ering any recommendation of the committee or bids  
13 which may have been offered, that the commodity or  
14 printing is not of a fair market price; or

15 (4) The purchasing director determines, after con-  
16 sulting with the committee, that the commodity or  
17 printing is not of like quality to other commodities or  
18 printing available.

19 No purchasing unit may evade the intent of this  
20 section when required goods or services are reasona-  
21 bly available from nonprofit workshops.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

*[Handwritten Signature]*  
.....  
Chairman Senate Committee

*Ernest C. Moore*  
.....  
Chairman House Committee

Originated in the Senate.

In effect ninety days from passage.

*[Handwritten Signature]*  
.....  
Clerk of the Senate

*[Handwritten Signature]*  
.....  
Clerk of the House of Delegates

*[Handwritten Signature]*  
.....  
President of the Senate

*[Handwritten Signature]*  
.....  
Speaker House of Delegates

The within is approved..... this the *23rd*  
day of *April*....., 1993.

*[Handwritten Signature]*  
.....  
Governor

PRESENTED TO THE

GOVERNOR

Date 4/19/83

Time 9:52 am