

IC 16-32-2

Chapter 2. The Committee for the Purchase of Products and Services of Persons With Severe Disabilities

IC 16-32-2-1

Purpose of chapter

Sec. 1. It is the purpose of this chapter to enhance employment opportunities for persons with severe disabilities by encouraging state agencies and units of local government to purchase products made by persons with severe disabilities employed by qualified nonprofit agencies.

As added by P.L.2-1993, SEC.15. Amended by P.L.23-1993, SEC.61.

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Creation of committee

Sec. 2. There is created a committee for the purchase of products and services of persons who are so severely disabled by a physical or mental disability that the persons cannot engage in normal competitive employment because of the disability.

As added by P.L.2-1993, SEC.15. Amended by P.L.23-1993, SEC.62.

IC 16-32-2-3

Membership

Sec. 3. The committee shall be composed of the following members:

- (1) The director of the division of disability and rehabilitative services or the director's designee.
- (2) The commissioner of the Indiana department of administration or the commissioner's designee.
- (3) The executive director of the governor's planning council on people with disabilities.
- (4) The director of the division of mental health and addiction or the director's designee.
- (5) The commissioner of the state department of health or the commissioner's designee.
- (6) Three (3) members appointed by the governor to represent the public at large.

As added by P.L.2-1993, SEC.15. Amended by P.L.4-1993, SEC.231; P.L.5-1993, SEC.244; P.L.192-1995, SEC.1; P.L.215-2001, SEC.82; P.L.141-2006, SEC.86.

IC 16-32-2-4

Per diem

Sec. 4. The members of the committee shall be reimbursed for expenses at a rate equal to that of state employees on a per diem basis by the division of disability and rehabilitative services.

As added by P.L.2-1993, SEC.15. Amended by P.L.4-1993, SEC.232; P.L.5-1993, SEC.245; P.L.141-2006, SEC.87.

IC 16-32-2-5

Executive secretary

Sec. 5. The director of the division of disability and rehabilitative services shall designate a staff member to act as executive secretary to the committee.

As added by P.L.2-1993, SEC.15. Amended by P.L.4-1993, SEC.233; P.L.5-1993, SEC.246; P.L.141-2006, SEC.88.

IC 16-32-2-6**Voting by members**

Sec. 6. All members of the committee are entitled to vote on issues before the committee.

As added by P.L.2-1993, SEC.15.

IC 16-32-2-7**Powers and duties**

Sec. 7. The committee shall do the following:

(1) Request from any agency of the state or any unit of local government information concerning product specification and service requirements to enable the committee to carry out the intent of this chapter. The requested information shall be furnished to the executive secretary of the committee.

(2) Meet as often as necessary to carry out the purposes of this chapter. However, the committee shall meet at least quarterly.

(3) Request from each participating qualified nonprofit agency for persons with severe disabilities a quarterly report that describes employment data and the volume of sales for each product or service sold under this chapter. These reports shall be made available to the Indiana department of administration.

(4) Establish the price for all products and services provided by persons with severe disabilities and offered for sale to state agencies and units of local government under IC 5-22-13 that the committee determines are suitable for use. The price fixed must recover for the qualified nonprofit agency for persons with severe disabilities the cost of raw materials, labor, overhead, and delivery cost. The committee shall periodically revise the prices in accordance with changing cost factors and adopt necessary rules regarding specifications, time of delivery, and fair market price.

(5) Approve and prepare a publication that lists all products and services available from any qualified nonprofit agency for persons with severe disabilities that the committee determines are suitable for procurement. The procurement list and revisions of the procurement list shall be distributed to all purchasing officers of state agencies and units of local government for purchase under IC 5-22-13.

(6) Encourage diversity in products and services provided by qualified nonprofit agencies for persons with severe disabilities and discourage unnecessary duplication or competition between facilities.

(7) Update the state use catalog not less than every ninety (90)

days starting January 1 of each year. The web based electronic version shall be considered the catalog of record.

As added by P.L.2-1993, SEC.15. Amended by P.L.23-1993, SEC.63; P.L.192-1995, SEC.2; P.L.49-1997, SEC.51; P.L.46-2007, SEC.5.

IC 16-32-2-8

Repealed

(Repealed by P.L.49-1997, SEC.86.)