

(1) IF THEY ARE PRODUCED OR PROVIDED BY AN INDIVIDUAL ON PAROLE OR IN A WORK RELEASE PROGRAM;

(2) IF THE SALE IS MADE TO A CHARITABLE, CIVIC, EDUCATIONAL, FRATERNAL, OR RELIGIOUS AGENCY, ASSOCIATION, OR INSTITUTION FOR ITS OWN USE AND NOT FOR RESALE WITHIN 1 YEAR OF THE PURCHASE;

(3) TO A PERSON FOR NATIONAL DEFENSE PURPOSES IF NOT PROHIBITED BY AN ACT OF CONGRESS;

(4) IF THEY ARE SURPLUS GOODS REMAINING AFTER MEETING THE FORECASTED REQUIREMENTS OF UNITS OF STATE GOVERNMENT AND POLITICAL SUBDIVISIONS AND THE GOODS REMAIN UNSOLD 1 YEAR AFTER BEING PRODUCED;

(5) FOR USE BY A CONTRACTOR OR SUBCONTRACTOR IN PERFORMANCE OF A CONTRACT WITH A UNIT OF STATE GOVERNMENT OR ANY OTHER GOVERNMENTAL UNIT IN THE STATE; OR

(6) AS ALLOWED UNDER THE PRIVATE SECTOR/PRISON INDUSTRY ENHANCEMENT CERTIFICATION PROGRAM OF THE UNITED STATES DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 681D.

In subsection (a) of this section, the term "goods" is substituted for the former term "products" for consistency within this subtitle.

In subsection (b)(1) of this section, the reference to services "provided" is added to state expressly that which was only implied in the former law.

Also in subsection (b)(1) of this section, the former reference to an individual in a work release "(type)" program is deleted. The Correctional Services Article Review Committee believes that this reference is unnecessary. However, this reference might have been intended to include an individual in home-detention, minimum security, or a prerelease program. If so, the General Assembly may wish to amend subsection (b)(1) of this section to specifically refer to inmates in these types of programs.

In subsection (b)(4) of this section, the reference to goods that remain unsold "1 year after being produced" is added to state expressly that which was only implied in the former reference to goods that remain unsold "after 1 year".

Defined terms: "Person" § 1-101

"Political subdivision" § 3-501

3-517. STATE USE INDUSTRIES ADVISORY COMMITTEE — ESTABLISHED.

THERE IS A STATE USE INDUSTRIES ADVISORY COMMITTEE IN THE DIVISION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 681A(a).