

ACT No. 548

2016 Regular Session

HOUSE BILL NO. 429

BY REPRESENTATIVE BROADWATER

1 AN ACT

2 To amend and reenact R.S. 38:2212.1(N)(1) through (4)(introductory paragraph) and to
3 repeal R.S. 38:2212.1(N)(4)(a) through (g), relative to group purchasing of school
4 materials, equipment, and supplies, including any installation thereof; to authorize
5 public school districts and public schools to enter into agreements with qualified
6 group purchasing organizations for the purchase of materials, equipment, and
7 supplies; to provide relative to definitions; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 38:2212.1(N)(1) through (4)(introductory paragraph) are hereby
10 amended and reenacted to read as follows:

11 §2212.1. Advertisement and letting to lowest responsible bidder; materials and
12 supplies; exemptions

13 * * *

14 N.(1) Notwithstanding any provision of this Part to the contrary, any public
15 school district or public school may ~~participate in a school district purchasing~~
16 ~~cooperative~~ enter into an agreement with one or more qualified group purchasing
17 organizations for the purchase of materials, equipment, and supplies, including any
18 installation thereof. Any such agreement shall require that the qualified group
19 purchasing organization submit a price list for those materials and supplies offered
20 by it and that the prices quoted on the list remain in effect for a stated period of time
21 of not less than three months. Any such price list shall be considered, for all
22 purposes, to be a valid and binding bid by the qualified group purchasing
23 organization during the effective period of the agreement, and no additional bid by
24 the qualified group purchasing organization is necessary.

1 (2) ~~Public schools and public school districts which are members of a school~~
2 ~~district purchasing cooperative may purchase materials, equipment, and supplies in~~
3 ~~accordance with contracts submitted to the school district purchasing cooperative by~~
4 ~~a vendor.~~ Price lists submitted by a qualified group purchasing organization are not
5 public record and shall not be available for public inspection. The agreement setting
6 forth the existence of the price list and the effective date thereof is, however, a public
7 record, and that portion of the price list setting forth the price of the materials or
8 supplies being purchased shall become a public record at the time of opening of bids
9 for those materials or supplies.

10 (3) As used in this Subsection, "~~school district~~ qualified purchasing
11 ~~cooperative organization~~" means an organization, whether for profit or not for profit,
12 of which two or more public school districts are members and which solicits
13 proposals or bids from vendors of services, materials, equipment, or supplies of the
14 type and nature as may be purchased by a public school district or public school.

15 (4) ~~A school district purchasing cooperative shall use the following request~~
16 ~~for proposals process in the solicitation of vendors for materials, equipment, and~~
17 ~~supplies:~~ board may purchase equipment from a qualified group purchasing
18 organization if the price for such equipment is less than that for the same or
19 substantially similar equipment on the state bid list.

20 Section 2. R.S. 38:2212.1(N)(4)(a) through (g) are hereby repealed in their entirety.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.