

2017 Regular Session

HOUSE BILL NO. 491

BY REPRESENTATIVE LEOPOLD

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC CONTRACT/BIDS: Provides relative to advertisements and bids for the lease of public lands

1 AN ACT

2 To amend and reenact R.S. 41:1214(B) and to enact R.S. 41:1214(E), relative to the  
3 advertisement and bids for the lease of public land; to provide relative to the delivery  
4 and acceptance of bids; to provide for a uniform and secure electronic interactive  
5 system for submittal of public works bids; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 41:1214(B) is hereby amended and reenacted and R.S. 41:1214(E)  
8 is hereby enacted to read as follows:

9 §1214. Advertisement and bids

10 \* \* \*

11 B. The lessor may on its own initiative advertise for bids for any lease as  
12 provided herein but without application therefor. The applications and bids provided  
13 for in this Part shall be secret, sealed applications and bids, ~~and shall be forwarded~~  
14 ~~through the United States mail to the lessor at its domiciled address.~~ Each bid shall  
15 be either hand delivered by the bidder, or his agent, in which instance the deliverer  
16 shall receive a written receipt, or such bid shall be sent by registered or certified mail  
17 with a return receipt requested, or shall be submitted electronically as provided in  
18 Subsection E of this Section. No public entity shall accept or take any bids,  
19 including receiving any hand delivered bids, on days which are recognized as  
20 holidays by the United States Postal Service.

21 \* \* \*

1           E. Public entities shall provide a uniform and secure electronic interactive  
2           system as an additional bidding option for the submittal of bids for public works  
3           requiring competitive bidding. Any public entity providing such system shall follow  
4           the standards for the receipt of electronic bids adopted by the office of the governor,  
5           the division of administration, and the office of technology services as provided for  
6           in LAC 4:XV.701. Any special condition or requirement for the submission shall be  
7           specified in the advertisement for bids required by this Section.

8           (1) Public entities that are currently without available high speed internet  
9           access shall be exempt from the provisions of this Subsection until such time that  
10          high speed internet access becomes available.

11          (2) Any parish with a police jury form of government and a population of  
12          less than twenty thousand people shall be exempt from the provisions of this  
13          Subsection.

14          (3) Any local governmental subdivision with a population of less than ten  
15          thousand people shall be exempt from the provisions of this Subsection.

16          (4) Any other public entity which is unable to comply with the electronic  
17          bidding provisions of this Subsection without securing and expending additional  
18          funding shall be exempt from the requirements of this Subsection.

19          (5) Public entities shall have the option to require that all bids be submitted  
20          electronically for any competitive bid let out for public bid.

21          (6) Public entities shall include all information regarding the advertisement  
22          of bids described in Subsection A of this Section.

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**DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 491 Original

2017 Regular Session

Leopold

**Abstract:** Provides for advertisement and electronic submittal procedures for the lease of public lands.

Present law requires advertisements for leased land be published in the official journal of the parish where the land is situated for a period of not less than 15 days and at least one week during three consecutive weeks.

Proposed law provides that each bid for the lease of public lands shall be submitted by hand, registered or certified mail, or electronically.

Proposed law prohibits the submittal of a bid on holidays recognized by the U.S. Postal Service.

Proposed law requires that all public entities provide for electronic receipt of bids in accordance with the standards of the governor's office, the division of administration, and the office of technology services, unless the public entity meets certain exceptions.

Proposed law exempts public entities with no high speed internet access from proposed law until a time when the public entity does have high speed internet access.

Proposed law exempts the following from proposed law requirements:

- (1) Parishes with police juries and populations less than 20,000.
- (2) Cities or municipalities with populations less than 10,000.
- (3) Public entities that are unable to comply with proposed law without securing and expending additional funding.

Proposed law specifies that public entities have the option of requiring electronic bidding for competitive bids.

Proposed law requires public entities to include all information regarding the advertisement for bids in present law.

(Amends R.S. 41:1214(B); Adds R.S. 41:1214(E))