

2020 Regular Session

HOUSE BILL NO. 381

BY REPRESENTATIVE DAVIS

PROCUREMENT: Provides relative to procurement by certain institutions of higher education

1 AN ACT

2 To enact R.S. 17:3139.5(B)(2)(d)(iii), relative to procurement by entities whose budget
3 authority is appropriated through Schedule 19 of a general appropriation bill; to
4 repeal authority for Louisiana State University and Louisiana State University Health
5 Sciences Center-health care services division to use a special procurement code; and
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:3139.5(B)(2)(d)(iii) is hereby enacted to read as follows:

9 §3139.5. Tuition autonomy; operational autonomy contingent on audit findings

10 * * *

11 B.

12 * * *

13 (2)

14 * * *

15 (d)

16 * * *

17 (iii) Notwithstanding any provision of this Subparagraph to the contrary, the
18 authority for Louisiana State University and Agricultural and Mechanical College
19 and Louisiana State University Health Sciences Center - health care services division
20 to use the higher education procurement code shall terminate on July 1, 2020. Any

1 new procurement initiated on or after that date by either institution shall comply with
 2 the Louisiana Procurement Code in Title 39 of the Louisiana Revised Statutes of
 3 1950. For the purposes of this Item, the term "procurement" shall mean the buying,
 4 purchasing, renting, leasing, or otherwise obtaining any supplies, services, or major
 5 repairs. It also includes the extension or renewal of a contract for supplies, services,
 6 or repairs as well as all functions that pertain to obtaining of any public procurement,
 7 including description of requirements, selection and solicitation of sources, and the
 8 preparation and award of contract.

9 * * *

10 Section 2. The provisions of R.S. 17:3139.5(B)(2)(d)(i) and (ii) shall continue to
 11 apply to any procurement pending on the effective date of this Act. For the purposes of this
 12 Section, the term "procurement" shall have the same meaning as in R.S. 39:1556. The
 13 provisions of this Section shall not apply to any renewal or extension of a procurement
 14 contract in effect on the date this Act becomes effective.

15 Section 3. The provisions of this Act shall become effective July 1, 2020.

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)]

HB 381 Original

2020 Regular Session

Davis

Abstract: Revokes authority for Louisiana State University and Agricultural and Mechanical College (LSU) and LSU Health Sciences Center - health care services division to use the higher education procurement code, effective July 1, 2020.

Present law (R.S. 17:3139.5) grants privileges to institutions of higher education who achieve certain targets. Proposed law retains present law.

Present law provides that one of the benefits of meeting targets in present law is the authority to use a procurement code that is not the state's procurement code (R.S. 39:1551 et seq).

Proposed law revokes as of July 1, 2020, the authority of LSU and LSU Health Sciences Center - health care services division to utilize their own procurement code. Provides that any new procurement (defined as the buying, purchasing, renting, leasing, or otherwise obtaining any supplies, services, or major repairs) or extension or renewal of an existing contract commenced on or after July 1, 2020, must be done through the state procurement code.

Proposed law further provides that any pending procurement or administration of a procurement contract in place on July 1, 2020, may continue to operate under the LSU procurement code until the contract terminates or is renewed or extended.

(Adds R.S. 17:3139.5(B)(2)(d)(iii))