

2024 Regular Session

HOUSE BILL NO. 878

BY REPRESENTATIVE RISER

PUBLIC CONTRACTS: Provides relative to fire departments and public safety departments or agencies entering into an agreement with group purchasing organizations

1 AN ACT

2 To enact R.S. 38:2212.1(P), relative to local governmental subdivisions' fire and public  
3 safety departments agreements with group purchasing organizations; to provide for  
4 agreements with qualified group purchasing organizations for purchases; to provide  
5 for price lists and their duration; to prohibit price lists from being public records; to  
6 define qualified group purchasing organization; to allow the purchase of materials,  
7 equipment, and supplies from a qualified group purchasing organization when prices  
8 meet certain criteria; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 38:2212.1(P) is hereby enacted to read as follows:

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

13 \* \* \*

14 P.(1) Notwithstanding any provision of law contained in this Part to the  
15 contrary, any municipal or parish fire department, volunteer fire department, fire  
16 protection district or non-profit corporation under contract with a fire protection  
17 district, municipal police department, or related public safety department or agency,  
18 including but not limited to any municipal ambulance service, parish ambulance  
19 service, or ambulance service district, may enter into an agreement with one or more

1 qualified group purchasing organizations for the purchase of materials, equipment,  
2 and supplies, including any installation thereof. Any such agreement shall require  
3 the qualified group purchasing organization to submit a price list for materials,  
4 equipment, and supplies it offers. The prices quoted on the list shall remain in effect  
5 for not less than three months. Any such price list shall be considered to be a valid  
6 and binding bid by the qualified group purchasing organization during the effective  
7 period of the agreement and no additional bid by the qualified group purchasing  
8 organization is necessary.

9 (2) The price list submitted by a qualified group purchasing organization is  
10 not a public record and shall not be available for public inspection. The agreement  
11 establishing the price list and its effective date is, however, a public record, and that  
12 portion of the price list establishing the price of the materials, equipment, or supplies  
13 being purchased shall become a public record at the time of opening of bids or upon  
14 the execution of a contract for the purchase of materials, equipment, or supplies.

15 (3) As used in this Subsection, "qualified group purchasing organization"  
16 means an organization, whether for profit or not-for-profit, of which two or more of  
17 the public departments, agencies, or non-profit corporations described in Paragraph  
18 (1) of this Subsection, hereinafter referred to as fire, ambulance service, public  
19 safety, or police authority, are participating or voting members thereof and which  
20 solicit proposals or bids from vendors of materials, equipment, or supplies of the  
21 type and nature as may be purchased by any such department, agency, or non-profit  
22 corporation.

23 (4) Furthermore, any such fire, ambulance service, public safety, or police  
24 authority may purchase materials, equipment, or supplies directly from or through  
25 a qualified group purchasing organization if either the price is less than that for the  
26 same or substantially similar materials, equipment, or supplies on the state contract  
27 or bid list, or if the same or substantially similar materials, equipment, or supplies  
28 are not under state contract or on the state bid list. Nothing contained in this  
29 Subsection shall be construed to authorize a municipal or public fire department, fire

1        protection district, ambulance service, or ambulance service district to purchase  
2        materials, equipment, or supplies from or through an entity or vendor other than a  
3        qualified group purchasing organization as defined in this Subsection without using  
4        a procurement process otherwise provided by state law.

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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 878 Engrossed

2024 Regular Session

Riser

**Abstract:** Provides for agreements by municipal and parish fire departments, volunteer fire departments, fire protection districts, municipal and parish ambulance services, ambulance service districts, municipal police departments, or related public safety departments or agencies with qualified group purchasing organizations for purchases.

Proposed law authorizes municipal and parish fire departments, volunteer fire departments, fire protection districts, municipal and parish ambulance services, ambulance service districts, municipal police departments, or related public safety departments or agencies to enter into agreements with qualified group purchasing organizations for purchases.

Proposed law requires the group purchasing organization to submit a price list and maintain those prices for at least three months and for those prices to be deemed a valid and binding bid.

Proposed law prohibits the price lists from being considered public records, but provides that the price list will be considered public record when it is made part of a contract.

Proposed law defines "qualified group purchasing organization".

Proposed law allows the purchase of materials, equipment, and supplies from a qualified group purchasing organization when prices are less than those for substantially similar products on the state contract list or when similar products are not on the state contract list.

Proposed law prohibits purchases through an entity or vendor that is not a qualified group purchasing organization without using state procurement procedures in present law.

(Adds R.S. 38:2212.1(P))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Add municipal ambulance service, parish ambulance service or ambulance service district to the list of entities that may enter into group purchasing agreements.