

Regular Session, 2014

SENATE BILL NO. 315

BY SENATOR DONAHUE

PROCUREMENT CODE. Provides relative to group purchasing and cooperative purchasing provisions of certain public postsecondary education institutions. (7/1/14).

1 AN ACT

2 To enact R.S. 39:196(C) and 1554(J), relative to procurement; to provide relative to group
3 purchasing and cooperative purchasing provisions by certain public postsecondary
4 education institutions; to provide for an effective date; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 39:196(C) and 1554(J) are hereby enacted to read as follows:

8 §196. Application of Part: responsibility for determining; executive director of
9 information services

10 * * *

11 **C.(1) Notwithstanding any other provision of law of this Part or any**
12 **other law to the contrary, any public postsecondary education institution**
13 **seeking to utilize its own group purchasing and cooperative purchasing**
14 **procurement provisions shall submit a request for and obtain approval of its**
15 **management board and the Board of Regents.**

16 **(2) The requesting public postsecondary education institution shall adopt**
17 **its own group purchasing and cooperative purchasing procurement provisions**

1 **pursuant to rules and regulations in accordance with the Administrative**
2 **Procedure Act.**

3 * * *

4 §1554. Application of this Chapter

5 * * *

6 **J. The provisions of this Chapter relative to group purchasing and**
7 **cooperative purchasing procurement shall not apply to any public**
8 **postsecondary education institution if:**

9 **(a) The public postsecondary education institution has requested its own**
10 **group purchasing and cooperative purchasing procurement provisions and has**
11 **been approved by its management board and the Board of Regents.**

12 **(b) The requesting public postsecondary education institution has**
13 **adopted its own group purchasing and cooperative purchasing procurement**
14 **provisions pursuant to rules and regulations adopted in accordance with the**
15 **Administrative Procedure Act.**

16 Section 2. This Act shall become effective on July 1, 2014; if vetoed by the governor
17 and subsequently approved by the legislature, this Act shall become effective on July 1,
18 2014, or on the day following such approval by the legislature, whichever is later.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Jay R. Lueckel.

DIGEST

Donahue (SB)

Present law provides for the purchase, lease, and rental of all data processing equipment, related services, and software. Also provides that the state central purchasing agency shall, subject to certain provisions, have sole authority and responsibility for defining the specific data processing equipment, related services, and software to which such provisions apply.

Proposed law provides that notwithstanding any other provision of law of proposed law or any other law to the contrary, any public postsecondary education institution seeking to utilize its own group purchasing and cooperative purchasing procurement provisions shall submit a request for and obtain the approval of its management board and the Board of Regents. The requesting public postsecondary education institution shall adopt rules and regulations in accordance with the Administrative Procedure Act.

Present law provides for the application of the Louisiana Procurement Code that provides for the acquisition of supplies, services, leases or major repairs. Present law also provides for group purchasing and cooperative purchasing by certain entities and with certain

limitations.

Proposed law retains present law but further provides that the Louisiana Procurement Code provisions relative to group purchasing and cooperative purchasing shall not apply to any public postsecondary education institution if:

- (1) The public postsecondary education institution has requested its own group purchasing and cooperative purchasing procurement provisions and has been approved by its management board and the Board of Regents.
- (2) The requesting public postsecondary education institution has adopted its own group purchasing and cooperative purchasing procurement provisions pursuant to rules and regulations adopted in accordance with the Administrative Procedure Act.

Effective July 1, 2014.

(Adds R.S. 39:196(C) and 1554(J))