

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 143

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1 RELATING TO STATE PROCUREMENT; AMENDING SECTION 67-9224, IDAHO CODE, TO PRO-  
2 VIDE THAT THE ADMINISTRATOR MAY AUTHORIZE AN AGENCY TO PARTICIPATE IN  
3 A COOPERATIVE PURCHASING AGREEMENT, TO PROVIDE THAT THE ADMINISTRATOR  
4 MAY AUTHORIZE AN AGENCY TO UTILIZE CONTRACTS OF CERTAIN OTHER AGENCIES,  
5 TO PROVIDE THAT CERTAIN AGREEMENTS BE MADE IN WRITING, TO REVISE PROVI-  
6 SIONS REGARDING ENTRANCE OR PARTICIPATION FEES, TO PROVIDE THAT CERTAIN  
7 AGREEMENTS SHALL BE MAINTAINED ON FILE AND TO REMOVE PROVISIONS REGARD-  
8 ING PROPERTY ACQUIRED PURSUANT TO THIS SECTION.  
9

10 Be It Enacted by the Legislature of the State of Idaho:

11 SECTION 1. That Section 67-9224, Idaho Code, be, and the same is hereby  
12 amended to read as follows:

13 67-9224. COOPERATIVE AND GROUP DISCOUNT PURCHASING. (1) The adminis-  
14 trator may authorize an agency to:

15 (a) Become a participating member of a group discount purchasing or-  
16 ganization if the administrator finds that:

17 ~~(a) The property to be acquired is at least equal in quality to same or~~  
18 ~~similar property that the agency uses;~~

19 ~~(b) The property to be acquired is less costly to the state than if ac-~~  
20 ~~quired by other means authorized in this chapter~~ Participate in, spon-  
21 sor, conduct or administer a cooperative purchasing agreement for prop-  
22 erty with one (1) or more public agencies, independent of the require-  
23 ments of section 67-2329, Idaho Code; or

24 (c) Utilize contracts of other public agencies within this state upon  
25 determining that the contract was let in a manner that constitutes com-  
26 petitive bidding consistent with the requirements of this chapter and  
27 is otherwise in the best interest of the state.

28 (2) The state's participation in the a cooperative purchase or group  
29 discount purchasing organization is must be formalized by a written contract  
30 that extends for no longer than one (1) year at a time; and agreement.

31 (d3) The state's entrance fee or participation fee in the a group dis-  
32 count purchasing organization is must be based on criteria applied to all  
33 other members of the organization.

34 (24) Any contract agreement entered into pursuant to subsection (2) of  
35 this section shall be maintained on file with the division as well as with the  
36 agency entering into the contract agreement.

37 ~~(3) Property acquired pursuant to this section shall be used solely~~  
38 ~~by the state and may not be transferred from state ownership until it is no~~  
39 ~~longer of use to the state. Such property may not be provided to individuals~~  
40 ~~except those in the custody of the state or those receiving direct personal~~  
41 ~~services from the state.~~