

1 SB182
2 181988-1
3 By Senator Holtzclaw
4 RFD: Fiscal Responsibility and Economic Development
5 First Read: 14-FEB-17

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8 SYNOPSIS: Under existing law, the Contract Review
9 Permanent Legislative Oversight Committee is
10 required to review within a 45-day period a
11 proposed contract or letter of intent to contract
12 for personal or professional services paid by a
13 state warrant.

14 This bill would clarify that the 45-day
15 review period would not begin until all information
16 required by the committee is provided to the
17 committee, and would provide that a committee
18 request for additional information would extend the
19 period of review for an additional 45 days.

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21 A BILL
22 TO BE ENTITLED
23 AN ACT

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25 To amend Section 29-2-41, Code of Alabama 1975,
26 relating to the review of proposed contracts or letter of
27 intent by the Contract Review Permanent Legislative Oversight

1 Committee; to clarify that the period of review does not begin
2 until all information required by the committee is furnished
3 to the committee and to provide that a request by the
4 committee for additional information extends the period of
5 review for an additional 45 days.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. Section 29-2-41, Code of Alabama 1975, is
8 amended to read as follows:

9 "§29-2-41.

10 "Each member of the committee shall be entitled to
11 regular legislative compensation, per diem, and travel
12 expenses for each day he or she attends a meeting of the
13 committee, which shall be paid out of the funds appropriated
14 to the use of the Legislature, on warrants drawn on the state
15 Comptroller upon requisition signed by the committee's chair.
16 Members shall not receive additional compensation or per diem
17 when the Legislature is in session. The Department of
18 Examiners of Public Accounts shall furnish assistance and any
19 relevant information to the committee. The committee shall
20 have the responsibility of reviewing contracts for personal or
21 professional services with private entities or individuals to
22 be paid out of appropriated funds, federal or state, on a
23 state warrant issued as recompense for those services. Each
24 state department entering into a contract to be paid out of
25 appropriated funds, federal or state, on a state warrant which
26 is notified by the committee is required to submit to the
27 committee any proposed contract for personal or professional

1 services. Each contract shall be accompanied by an itemization
2 of the total cost estimate of the contract. The department
3 may, in lieu of the proposed contract, submit to the committee
4 a letter of intent to contract. Such letter of intent to
5 contract shall indicate the contracting parties, the services
6 to be performed, an itemization of the total cost estimate of
7 the contract, and such other information as the department may
8 deem pertinent to the committee review of the contract. The
9 committee shall review and comment where necessary on any such
10 contract or letter of intent to contract within a reasonable
11 time not to exceed 45 days after the department has submitted
12 the contract or letter of intent to contract to the committee.
13 The 45-day period commences upon the submission of a contract
14 meeting the requirements of state law and this article or a
15 letter of intent to contract that meets the requirements of
16 law and this article and any information required by the
17 committee. If, during the 45-day period, the committee by
18 majority vote determines additional information is pertinent
19 to the committee review of the contract, the 45-day period
20 shall be extended for an additional 45 days. Any contract made
21 by the state or any of its agencies or departments in
22 violation of this section and without prior review by the
23 committee of either the contract or the letter of intent to
24 contract shall be void ab initio. If the committee fails to
25 review and comment upon any contract or letter of intent to
26 contract within the aforementioned 45-day time period, such
27 contract shall be deemed to have been reviewed in compliance

1 with this section. If the committee by majority vote requests
2 additional information and does not review or comment upon the
3 contract or letter of intent to contract within the additional
4 45-day period, the contract shall be deemed to have been
5 reviewed in compliance with this section.

6 "Should the department elect to submit a letter of
7 intent to contract in lieu of a proposed contract, as
8 authorized in the preceding paragraph, the department shall be
9 required to submit to the committee for its information the
10 contract described in the letter of intent upon the execution
11 of the contract.

12 "The committee shall have the power to issue
13 subpoenas for any witnesses and to require the production of
14 any documents or contracts it feels it needs to examine in the
15 conduct of its duties.

16 "The committee shall organize itself at the first
17 meeting and elect from among its membership a chair and a
18 vice-chair. The committee shall hold regular meetings at least
19 once each month, the regular meetings to be held during the
20 first week of each month."

21 Section 2. This act shall become effective on the
22 first day of the third month following its passage and
23 approval by the Governor, or its otherwise becoming law.