

1 SB210
2 172508-1
3 By Senators Holtzclaw, Marsh, Dial, Ward, Hightower, Reed,
4 Waggoner, Bussman, Sanford, Melson, Williams and Livingston
5 RFD: Governmental Affairs
6 First Read: 11-FEB-16

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

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

19
20 A BILL
21 TO BE ENTITLED
22 AN ACT
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24 To amend Section 29-2-41, Code of Alabama 1975,
25 relating to the review of proposed contracts or letter of
26 intent by the Contract Review Permanent Legislative Oversight
27 Committee; to clarify that the period of review does not begin

1 until all information required by the committee is furnished
2 to the committee and to provide that a request by the
3 committee for additional information extends the period of
4 review for an additional 45 days.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

8 "§29-2-41.

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

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

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

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

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

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

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