

Senate Bill 264

By: Senator Harrell of the 40th

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act amending, revising, superseding, and consolidating the laws relating to the  
2 governing authority of DeKalb County and creating a chairman and board of commissioners  
3 of said county, approved March 8, 1956 (Ga. L. 1956, p. 3237), as amended, particularly by  
4 an Act approved April 9, 1981 (Ga. L. 1981, p. 4304), so as to authorize establishment by  
5 the governing authority of rules regulating certain purchases; to provide for purchases by  
6 formal sealed bids; to provide for purchases without formal sealed bids; to provide for related  
7 matters; to provide for a referendum; to provide for contingent effective dates and automatic  
8 repeal; to repeal conflicting laws; and for other purposes.

9 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

10 **SECTION 1.**

11 An Act amending, revising, superseding, and consolidating the laws relating to the governing  
12 authority of DeKalb County and creating a chairman and board of commissioners of said  
13 county, approved March 8, 1956 (Ga. L. 1956, p. 3237), as amended, particularly by an Act  
14 approved April 9, 1981 (Ga. L. 1981, p. 4304), is amended by revising subsection (a) of  
15 Section 18 as follows:

16 "(a) The governing authority shall by ordinance establish rules to regulate purchasing for  
17 all county departments, offices, and agencies of the county government, with the exception  
18 of the tax commissioner, clerk of the superior court, district attorney, and sheriff. Except  
19 as hereinafter provided, formal sealed bids, after notice of same has been published one  
20 time in the official organ of DeKalb County, must be obtained on all purchases exceeding  
21 \$50,000.00. Purchases exceeding \$50,000.00 may be made without formal sealed bids  
22 from any vendor who, at the time of purchase, has an existing contract or schedule with a  
23 county or municipality, if such contract was procured by a competitive process, or with the  
24 State of Georgia or the federal government so long as all such purchases are made pursuant  
25 to the price, terms, and conditions of said contract and if the county receives all the benefits  
26 of such contract."

27 **SECTION 2.**

28 The election superintendent of DeKalb County shall call and conduct an election as provided  
 29 in this section for the purpose of submitting this Act to the electors of DeKalb County for  
 30 approval or rejection. The election superintendent shall conduct that election on the date of  
 31 the 2020 presidential preference primary and shall issue the call and conduct that election as  
 32 provided by general law. The election superintendent shall cause the date and purpose of the  
 33 election to be published once a week for two weeks immediately preceding the date thereof  
 34 in the official organ of DeKalb County. The ballot shall have written or printed thereon the  
 35 words:

36 "( ) YES Shall the Act be approved which authorizes the governing authority of  
 37 ( ) NO DeKalb County to establish by ordinance rules regulating certain  
 38 purchases?"

39 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring  
 40 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on  
 41 such question are for approval of the Act, Section 1 of this Act shall become of full force and  
 42 effect immediately. If the Act is not so approved or if the election is not conducted as  
 43 provided in this section, Section 1 of this Act shall not become effective, and this Act shall  
 44 be automatically repealed on the first day of January immediately following that election  
 45 date. The expense of such election shall be borne by DeKalb County. It shall be the election  
 46 superintendent's duty to certify the result thereof to the Secretary of State.

47 **SECTION 3.**

48 Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon  
 49 its approval by the Governor or upon its becoming law without such approval.

50 **SECTION 4.**

51 All laws and parts of laws in conflict with this Act are repealed.