

SENATE BILL NO. 315

BY SENATOR DONAHUE

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)(a) The requesting public postsecondary education institution shall**
17 **adopt its own group purchasing and cooperative purchasing procurement**
18 **provisions pursuant to rules and regulations in accordance with the**
19 **Administrative Procedure Act. Notwithstanding the provisions of R.S.**
20 **49:968(B)(19), the rules and regulations promulgated pursuant to this**
21 **Subsection shall be submitted to the Senate Committee on Finance and the**
22 **House Committee on Appropriations for review.**

23 **(b) Such rules shall include provisions for adequate public notice in the**
24 **procurement process.**

25 **(3) Authority of an institution to participate in its own group purchasing**
26 **and cooperative purchasing procurement provisions shall be for an initial term**
27 **of three years. After the initial term, the institution may be authorized to**

1 participate in its own procurement provisions under this Section for an
2 additional term of five years upon approval of the Joint Legislative Committee
3 on the Budget.

4 (4) A report of all group purchasing or cooperative purchasing contracts
5 by each institution authorized under these provisions shall be provided to the
6 Joint Legislative Committee on the Budget no later than ninety days after the
7 end of each fiscal year. Such report shall, at a minimum, include a
8 measurement of the savings derived from the utilization of the group
9 purchasing or cooperative purchasing process.

10 * * *

11 §1554. Application of this Chapter

12 * * *

13 J. The provisions of this Chapter relative to group purchasing and
14 cooperative purchasing procurement shall not apply to any public
15 postsecondary education institution if:

16 (1) The public postsecondary education institution has requested its own
17 group purchasing and cooperative purchasing procurement provisions and has
18 been approved by its management board and the Board of Regents.

19 (2)(a) The requesting public postsecondary education institution has
20 adopted its own group purchasing and cooperative purchasing procurement
21 provisions pursuant to rules and regulations adopted in accordance with the
22 Administrative Procedure Act. Notwithstanding the provisions of R.S.
23 49:968(B)(19), the rules and regulations promulgated pursuant to this
24 Subsection shall be submitted to the Senate Committee on Finance and the
25 House Committee on Appropriations for review.

26 (b) Such rules shall include provisions for adequate public notice in the
27 procurement process.

28 (3) Authority of an institution to participate in its own group purchasing
29 and cooperative purchasing procurement provisions shall be for an initial term
30 of three years. After the initial term, the institution may be authorized to

1 participate in its own procurement provisions under this Section for an
2 additional term of five years upon approval of the Joint Legislative Committee
3 on the Budget.

4 (4) A report of all group purchasing or cooperative purchasing contracts
5 by each institution authorized under these provisions shall be provided to the
6 Joint Legislative Committee on the Budget no later than ninety days after the
7 end of each fiscal year. Such report shall, at a minimum, include a
8 measurement of the savings derived from the utilization of the group
9 purchasing or cooperative purchasing process.

10 Section 2. This Act shall become effective on July 1, 2014; if vetoed by the governor
11 and subsequently approved by the legislature, this Act shall become effective on July 1,
12 2014, or on the day following such approval by the legislature, whichever is later.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____