

2016 Regular Session

SENATE BILL NO. 407

BY SENATOR MILKOVICH

PUBLIC CONTRACTS. Requires publication of certain contracts and reports on the Internet and and creates task force which is authorized to study and make annual assessments of state contracts. (7/1/16)

1 AN ACT

2 To enact R.S. 39:1567(B)(4) and (F), relative to certain contract reporting requirements; to
3 provide for reporting certain contract information on the Internet; to provide for the
4 creation of the Contract Services Joint Legislative Task Force; to provide for the
5 membership of the task force; to provide for the duties of the task force; to provide
6 for an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 39:1567(B)(4) and (F) are hereby enacted to read as follows:

9 §1567. Reporting requirements

10 * * *

11 B.

12 * * *

13 **(4) Information on all contracts and the information contained in the**
14 **annual report shall be published on the division of administration's website to**
15 **provide maximum access to the public and ease of use for searching information**
16 **relative to the various contracts reported.**

17 * * *

1 **F.(1) The Contract Services Joint Legislative Task Force, herein after**
2 **referred to as the "task force", is hereby created to study, review, and make**
3 **assessments on contracts as further provided in this Subsection. The task force**
4 **shall be composed of eight members of the legislature; four members of the**
5 **Senate, appointed by the president of the Senate and four members of the House**
6 **of Representatives, appointed by the speaker of the House of Representatives.**

7 **(2) The task force is authorized to review all contracts with an annual**
8 **contract amount of fifty thousand dollars or more as provided by Chapter 17**
9 **of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950. The task**
10 **force may review the processes by which these contracts are negotiated, drafted,**
11 **procured, and executed. Additionally, the task force may study any other**
12 **contracts determined to be relevant to the mission of the task force.**

13 **(3) The president of the Senate shall appoint a Senator to chair the first**
14 **meeting until officers can be elected from among the task force membership at**
15 **the first meeting which shall take place no later than thirty days after the**
16 **effective date of this Section. It shall take a quorum of the task force**
17 **membership to conduct business.**

18 **(4) The task force shall not meet more than five calendar days in any**
19 **fiscal year.**

20 **(5) Annually, the task force shall report to the president of the Senate,**
21 **the speaker of the House of Representatives, and the governor no later than**
22 **sixty days before the regular session regarding any recommendations relative**
23 **to any specific contracts or contract procedures that may require administrative**
24 **action or may require legislative action.**

25 Section 2. This Act shall become effective on July 1, 2016; if vetoed by the governor
26 and subsequently approved by the legislature, this Act shall become effective on July 1,
27 2016, or on the day following such approval by the legislature, whichever is later.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jay R. Lueckel.

DIGEST

SB 407 Engrossed 2016 Regular Session Milkovich

Present law provides for reporting requirements for the state chief procurement officer, including annual reports.

Proposed law retains present law and provides that information on all contracts and the information contained in the annual report shall be published on the division of administration's website for access and ease of use.

Proposed law creates the Contract Services Joint Legislative Task Force (task force) which is authorized to study, review, and make assessments on contracts.

Proposed law provides that the task force shall be composed of four members of the Senate, appointed by the Senate president, and four members of the House of Representatives, appointed by the House speaker.

Proposed law provides the task force shall meet no more than five days per fiscal year and may review all contracts for supplies, materials, services, major repairs, personal, professional, consulting, and social services contracts, among others, with an annual amount of \$50,000 or more. The task force may review the processes by which these contracts are negotiated, drafted, procured, and executed. Additionally, the task force may study any other contracts determined to be relevant to the mission of the task force.

Proposed law further states the Senate president shall appoint a senator to chair the first meeting until officers can be elected from among the task force membership at the first meeting, which shall take place no later than 30 days after the effective date of the Act, and that a quorum of task force members shall be needed to conduct business.

Proposed law further states the task force shall report annually to the Senate president, the House speaker, and the governor no later than 60 days before the regular session regarding any recommendations relative to any specific contracts or contract procedures that may require administrative action or may require legislative action.

Effective July 1, 2016.

(Adds R.S. 39:1567(B)(4) and (F))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the original bill

1. Adds a requirement for publication on all contracts on the Internet.
2. Changes mission of the task force from requiring review of contracts to authorizing review.
3. Adds provision that the task force may review the processes by which contracts are negotiated, drafted, procured, and executed. Additionally, the task force may study any other contracts determined to be relevant to the mission of the task force.
4. Limits the task force to meeting five calendar days in any fiscal year.