

**Sixty-eighth Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 3, 2023**

SENATE BILL NO. 2370  
(Senators Davison, Elkin)  
(Representative Richter)

AN ACT to create and enact a new section to chapter 11-11 and a new section to chapter 40-05 of the North Dakota Century Code, relating to cooperative purchasing pursuant to a joint powers agreement; and to amend and reenact subsection 4 of section 11-11-14, and subsection 52 of section 40-05-01 of the North Dakota Century Code, relating to authorizing a city or a county to engage in cooperative purchasing.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Subsection 4 of section 11-11-14 of the North Dakota Century Code is amended and reenacted as follows:

4. To control the finances, to contract debts and borrow money, to make payments of debts and expenses, to establish charges for any county or other services, and to control the property of the county, and to contract for cooperative purchases pursuant to a joint-powers agreement under chapter 54-40.3.

**SECTION 2.** A new section to chapter 11-11 of the North Dakota Century Code is created and enacted as follows:

**Cooperative purchasing - Authorized.**

With the approval of the board of county commissioners, a county may participate in cooperative purchasing agreements with the state, or another political subdivision of this state or any other state, by executing a joint-powers agreement under chapter 54-40.3.

**SECTION 3. AMENDMENT.** Subsection 52 of section 40-05-01 of the North Dakota Century Code is amended and reenacted as follows:

52. Supplies. To provide that supplies needed for the use of the ~~municipality shall~~city be furnished by contract let to the lowest responsible bidder, except the city may contract for cooperative purchases pursuant to a joint-powers agreement under chapter 54-40.3. This section does not apply to construction of public improvement as defined in chapter 48-01.2.

**SECTION 4.** A new section to chapter 40-05 of the North Dakota Century Code is created and enacted as follows:

**Cooperative purchasing - Authorized.**

With the approval of the board of city commissioners or the city council, a city may participate in cooperative purchasing agreements with the state, or another political subdivision of this state or any other state, by executing a joint-powers agreement under chapter 54-40.3. This section does not apply to construction of a public improvement as defined in chapter 48-01.2.

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President of the Senate

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Speaker of the House

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Secretary of the Senate

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Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Sixty-eighth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2370.

Senate Vote:    Yeas 47            Nays 0            Absent 0

House Vote:    Yeas 65            Nays 28           Absent 1

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Secretary of the Senate

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2023.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2023.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2023,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State