

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2858

Chapter 61, Laws of 2010

61st Legislature
2010 Regular Session

HIGHER EDUCATION--PURCHASING AUTHORITY--GROUP PURCHASING
ORGANIZATIONS

EFFECTIVE DATE: 06/10/10

Passed by the House February 11, 2010
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate February 27, 2010
Yeas 40 Nays 0

BRAD OWEN

President of the Senate

Approved March 15, 2010, 2:55 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 2858** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

March 15, 2010

**Secretary of State
State of Washington**

HOUSE BILL 2858

Passed Legislature - 2010 Regular Session

State of Washington 61st Legislature 2010 Regular Session

By Representatives Appleton, Anderson, Sells, White, and Wallace

Read first time 01/15/10. Referred to Committee on Higher Education.

1 AN ACT Relating to purchasing authority of institutions of higher
2 education with group purchasing organizations; and amending RCW
3 28B.10.029.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 28B.10.029 and 2004 c 167 s 10 are each amended to
6 read as follows:

7 (1)(a) An institution of higher education may exercise
8 independently those powers otherwise granted to the director of general
9 administration in chapter 43.19 RCW in connection with the purchase and
10 disposition of all material, supplies, services, and equipment needed
11 for the support, maintenance, and use of the respective institution of
12 higher education.

13 (b) Property disposition policies followed by institutions of
14 higher education shall be consistent with policies followed by the
15 department of general administration.

16 (c) Purchasing policies and procedures followed by institutions of
17 higher education shall be in compliance with chapters 39.19, 39.29, and
18 43.03 RCW, and RCW 43.19.1901, 43.19.1906, 43.19.1911, 43.19.1917,

1 43.19.1937, 43.19.534, 43.19.685, 43.19.700 through 43.19.704, and
2 43.19.560 through 43.19.637.

3 (d) Purchases under chapter 39.29, 43.19, or 43.105 RCW by
4 institutions of higher education may be made by using contracts for
5 materials, supplies, services, or equipment negotiated or entered into
6 by, for, or through group purchasing organizations.

7 (e) The community and technical colleges shall comply with RCW
8 43.19.450.

9 (f) Except for the University of Washington, institutions of higher
10 education shall comply with RCW 43.41.310, 43.41.290, and 43.41.350.

11 (g) If an institution of higher education can satisfactorily
12 demonstrate to the director of the office of financial management that
13 the cost of compliance is greater than the value of benefits from any
14 of the following statutes, then it shall be exempt from them: RCW
15 43.19.685; 43.19.534; and 43.19.637.

16 (h) Any institution of higher education that chooses to exercise
17 independent purchasing authority for a commodity or group of
18 commodities shall notify the director of general administration.
19 Thereafter the director of general administration shall not be required
20 to provide those services for that institution for the duration of the
21 general administration contract term for that commodity or group of
22 commodities.

23 (2) The council of presidents and the state board for community and
24 technical colleges shall convene its correctional industries business
25 development advisory committee, and work collaboratively with
26 correctional industries, to:

27 (a) Reaffirm purchasing criteria and ensure that quality, service,
28 and timely delivery result in the best value for expenditure of state
29 dollars;

30 (b) Update the approved list of correctional industries products
31 from which higher education shall purchase; and

32 (c) Develop recommendations on ways to continue to build
33 correctional industries' business with institutions of higher
34 education.

35 (3) Higher education and correctional industries shall develop a
36 plan to build higher education business with correctional industries to
37 increase higher education purchases of correctional industries
38 products, based upon the criteria established in subsection (2) of this

1 section. The plan shall include the correctional industries'
2 production and sales goals for higher education and an approved list of
3 products from which higher education institutions shall purchase, based
4 on the criteria established in subsection (2) of this section. Higher
5 education and correctional industries shall report to the legislature
6 regarding the plan and its implementation no later than January 30,
7 2005.

8 (4) Institutions of higher education shall set as a target to
9 contract, beginning not later than June 30, 2006, to purchase one
10 percent of the total goods and services required by the institutions
11 each year produced or provided in whole or in part from class II inmate
12 work programs operated by the department of corrections. Institutions
13 of higher education shall set as a target to contract, beginning not
14 later than June 30, 2008, to purchase two percent of the total goods
15 and services required by the institutions each year produced or
16 provided in whole or in part from class II inmate work programs
17 operated by the department of corrections.

18 (5) An institution of higher education may exercise independently
19 those powers otherwise granted to the public printer in chapter 43.78
20 RCW in connection with the production or purchase of any printing and
21 binding needed by the respective institution of higher education.
22 Purchasing policies and procedures followed by institutions of higher
23 education shall be in compliance with chapter 39.19 RCW. Any
24 institution of higher education that chooses to exercise independent
25 printing production or purchasing authority shall notify the public
26 printer. Thereafter the public printer shall not be required to
27 provide those services for that institution.

Passed by the House February 11, 2010.

Passed by the Senate February 27, 2010.

Approved by the Governor March 15, 2010.

Filed in Office of Secretary of State March 15, 2010.