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LEGISLATURE OF THE STATE OF IDAHO
Sixty-third Legislature Second Regular Session - 2016

IN THE _____

BILL NO. _____

BY _____

AN ACT

1
2 RELATING TO STATE CONTRACTS; AMENDING CHAPTER 92, TITLE 67, IDAHO CODE, BY
3 THE ADDITION OF A NEW SECTION 67-9214, IDAHO CODE, TO PROVIDE THAT STATE
4 AGENCIES SHALL PROCURE PROPERTY FROM AN OPEN CONTRACT WHEN SUCH PROP-
5 erty IS AVAILABLE UNDER THE CONTRACT, TO PROVIDE FOR EXEMPTIONS, TO PRO-
6 vide REQUIREMENTS FOR REQUESTING AND GRANTING AN EXEMPTION, TO PROVIDE
7 FOR A REPORT TO THE LEGISLATURE AND TO PROVIDE THAT ANY PERSON WHO FAILS
8 TO COMPLY WITH THIS SECTION SHALL BE SUBJECT TO CERTAIN PENALTIES.

9 Be It Enacted by the Legislature of the State of Idaho:

10 SECTION 1. That Chapter 92, Title 67, Idaho Code, be, and the same is
11 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
12 ignated as Section 67-9214, Idaho Code, and to read as follows:

13 67-9214. OPEN CONTRACTS. (1) If property is available on an open con-
14 tract, then all agencies seeking to procure such property must do so from the
15 open contract. Provided however, that the administrator may grant an exemp-
16 tion to a requesting agency if the administrator determines that an exemp-
17 tion would be in the best interest of the state.

18 (2) A request for an exemption shall be made in writing and explain why
19 the exemption would be in the best interest of the state.

20 (3) The administrator's determination to grant an exemption shall be in
21 writing and explain the justification for the exemption.

22 (4) The administrator shall make an annual report to the legislature on
23 the first day of the regular session, which report shall detail:

24 (a) The exemptions requested during the previous year;

25 (b) Whether the exemptions were granted or denied; and

26 (c) The reason each exemption was granted or denied.

27 (5) Any person who fails to comply with this section shall be subject to
28 penalties pursuant to sections 67-9227 and 67-9228, Idaho Code.