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LEGISLATURE OF THE STATE OF IDAHO
Sixty-fourth Legislature First Regular Session - 2017

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1 AN ACT
2 RELATING TO PROCUREMENT BY STATE INSTITUTIONS OF HIGHER EDUCATION; AMEND-
3 ING SECTION 67-9225, IDAHO CODE, TO CLARIFY WHAT AN INSTITUTION MAY CON-
4 sider IN DETERMINING THE EXPENSE OF CERTAIN PROCUREMENTS.

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

6 SECTION 1. That Section 67-9225, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 67-9225. PROCUREMENT BY STATE INSTITUTIONS OF HIGHER EDUCATION. (1) A
9 state institution of higher education may establish policies and procedures
10 for procuring property that shall be substantially consistent with the re-
11 quirements for procuring property as set forth in this chapter and that shall
12 be approved by the state board of education. When the state board of edu-
13 cation has approved such policies and procedures for a state institution of
14 higher education, the institution shall not be subject to the provisions of
15 this chapter, except as provided in subsection (2) of this section.

16 (2) When the state enters into an open contract, no state institution of
17 higher education shall fail to use such contract; provided however, that if
18 the property to be acquired may be procured at equal or less expense to the
19 institution from a vendor that is not party to the open contract, then the in-
20 stitution may, at the institution's discretion, procure the property from
21 the nonparty vendor. In determining the expense of a particular procure-
22 ment, an institution may consider only those costs, such as the cost of the
23 property to be procured and the cost of delivering the property, that may be
24 explicitly compared to such costs under the open contract.