

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 142

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO PROCUREMENT BY STATE INSTITUTIONS OF HIGHER EDUCATION; AMENDING SECTION 67-9225, IDAHO CODE, TO PROVIDE THAT STATE INSTITUTIONS OF HIGHER EDUCATION MUST PROCURE PROPERTY FROM AN OPEN CONTRACT EXCEPT UNDER CERTAIN CIRCUMSTANCES.

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

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

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

(2) When the state enters into an open contract, ~~no~~ a state institution of higher education shall fail to must use such the open contract; provided however, that if the, or the institution may procure property to be acquired may be procured at equal or less expense to the institution from a vendor that is not party to the open contract, ~~then the institution may, at the institution's discretion, procure if the cost to the institution would be equal to or less than the price of the property from the nonparty vendor under the open contract.~~