

The House Committee on Education offered the following substitute to HB 1493:

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
2 elementary and secondary education, so as to require the promulgation of rules and
3 regulations to regulate in the public interest contracts and purchases involving the aggregate
4 sum of \$5,000.00 or more on behalf of students in public elementary and secondary schools;
5 to provide for the contents of such rules and regulations; to require bidding, limitation of
6 consideration to bids meeting specifications, award to the lowest responsible bidder, and
7 monitoring of compliance with the contract or bid; to require a standard or formula for
8 determining the price in certain circumstances; to provide that such rules and regulations
9 shall authorize examination or audit in certain circumstances; to provide for related matters;
10 to repeal conflicting laws; and for other purposes.

11 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

12 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
13 secondary education, is amended by striking Code Sections 20-2-500, relating to rules and
14 regulations for contracts or purchases, and 20-2-501, relating to contracts not in compliance
15 with rules and regulations, and inserting in lieu thereof the following:
16

17 "20-2-500.

18 The State Board of Education ~~is authorized to~~ shall promulgate rules and regulations to
19 regulate in the public interest contracts or purchases which involve the aggregate sum of
20 ~~\$100.00~~ \$5,000.00 or more for or on behalf of students of any public elementary or
21 secondary school supported in whole or in part from public funds. Such rules and
22 regulations shall require a fair and impartial bidding process, consideration limited to bids
23 that meet the specifications set out in the request for bids, award of contracts or purchases
24 to the lowest responsible bidder, and monitoring of vendor compliance with the contract
25 or bid by employees of the local board of education or other purchasing entity. Such rules
26 and regulations shall require that a contract or bid for items to be supplied periodically at

1 variable prices shall state clearly a standard or formula for determining such prices. Such
2 rules and regulations shall authorize an examination and audit by the Department of
3 Education of any contract or purchase which is funded in whole or in part by state moneys.

4 20-2-501.

5 No person shall enter into any contract or make any purchase which involves the aggregate
6 sum of ~~\$100.00~~ \$5,000.00 or more for or on behalf of students of any public elementary
7 or secondary school supported in whole or in part from public funds unless such person has
8 complied, prior to entering into such contract or purchase, with such rules and regulations
9 as promulgated by the State Board of Education for making purchases for the students in
10 such schools."

11 **SECTION 2.**

12 All laws and parts of laws in conflict with this Act are repealed.