

House Bill 1316 (AS PASSED HOUSE AND SENATE)

By: Representatives Buck of the 112th, Buckner of the 109th, Hugley of the 113th, Smith of the 110th, and Smyre of the 111th

A BILL TO BE ENTITLED
AN ACT

To amend an Act creating the Muscogee County School District, approved February 25, 1949 (Ga. L. 1949, p. 1086), as amended, particularly by an Act approved April 19, 2000 (Ga. L. 2000, p. 3911), so as to change the maximum amount for which the superintendent of the board of education may make public works construction contracts; to change the maximum amount which may be expended for a public works construction contract without affording free competition; to provide that the superintendent of the board of education in an emergency may make certain contracts other than public works construction contracts; to provide for rules and regulations; to provide definitions; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating the Muscogee County School District, approved February 25, 1949 (Ga. L. 1949, p. 1086), as amended, particularly by an Act approved April 19, 2000 (Ga. L. 2000, p. 3911), is amended by striking the undesignated first two paragraphs of Section 11 and inserting in their place new undesignated first and second paragraphs to read as follows:

"That the superintendent of the board of education may make public works construction contracts defined as the building, altering, repairing, improving, demolishing, or other improvement of any kind to any school district property, binding said merged school system where the expenditure does not exceed \$50,000.00, and may make contracts, other than public works construction contracts, for supplies, labor, repairs, and other necessary school purposes, binding said merged school system where the expenditure involved does not exceed \$10,000.00. All expenditures for such purposes in excess of such designated amounts must be first authorized by resolution adopted at a regular or special meeting of the board. No public works construction contract involving an expenditure of more than \$50,000.00 and no purchase involving a public works construction contract involving an

1 expenditure of more than \$10,000.00 shall be made in any case without affording free
2 competition. No public works construction contract shall be entered into by the board
3 without taking the statutory performance bond required of counties and cities by the laws
4 of this state in such cases.

5 That the superintendent of the board of education in the event of an emergency may make
6 contracts, other than public works construction contracts, for supplies, labor, repairs, and
7 other necessary school purposes, binding said merged school system where the expenditure
8 involved exceeds \$10,000.00, and that the board of education by resolution may adopt rules
9 and regulations governing the administration of this paragraph, including specific
10 procedures which the superintendent must follow in exercising these emergency spending
11 powers. As used in this paragraph, the term 'emergency' means an eventuality which
12 cannot reasonably be foreseen and which if not corrected immediately will result in harm
13 to people or property or in economic loss to said merged school system."

14 **SECTION 2.**

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