

House Bill 1487

By: Representatives Bruce of the 64th, Dobbs of the 53rd, Jones of the 44th, Kaiser of the 59th, Taylor of the 55th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating and establishing a purchasing department in certain counties of
2 this state, approved March 27, 1941 (Ga. L. 1941, p. 408), as amended, particularly by an Act
3 approved April 29, 1975 (Ga. L. 1975, p. 1147), an Act approved March 25, 1980 (Ga. L.
4 1980, p. 3858), an Act approved April 13, 1993 (Ga. L. 1993, p. 288), and an Act approved
5 April 2, 1998 (Ga. L. 1998, p. 583), so as to change counties to which such Act is applicable;
6 to change the provisions relative to public letting and bids; to provide an effective date; to
7 repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 An Act creating and establishing a purchasing department in certain counties of this state,
11 approved March 27, 1941 (Ga. L. 1941, p. 408), as amended, particularly by an Act approved
12 April 29, 1975 (Ga. L. 1975, p. 1147), an Act approved March 25, 1980 (Ga. L. 1980, p.
13 3858), an Act approved April 13, 1993 (Ga. L. 1993, p. 288), and an Act approved April 2,
14 1998 (Ga. L. 1998, p. 583) is amended by revising Section 1 as follows:

15 "SECTION 1.

16 There is hereby created in each county in this State having a population of eight hundred fifty
17 thousand or more according to the United States Census of 2000, or any future United States
18 census, a County Purchasing Department, which shall be set up, established and maintained
19 under the jurisdiction of the Board of Commissioners of Roads and Revenues, or other
20 county authority."

21 **SECTION 2.**

22 Said Act is further amended by revising Section 9 as follows:

23 "SECTION 9.

24 (a) If the county requires work, labor, supplies, materials, and equipment that requires an
25 expenditure of more than \$50,000.00, such work, labor, supplies, materials, or equipment
26 shall be procured only by contract on public letting founded on sealed bids under such
27 regulations as shall be made by the board of commissioners or other county authority. The
28 terms of such contracts, subject to such regulations and in conformity with law, shall be
29 settled by the county attorney as an act of preliminary specification to a proposal for bids.

30 (b) The agency letting the contract and the board of commissioners may reject all bids that
31 the board determines not to be in the best interest of the county. The agency shall
32 whenever possible award a contract procured pursuant to this Section to the lowest
33 responsible bidder. If the agency awards a contract to a bidder that was not the lowest
34 submitted bid, such agency shall document the reasons for such award.

35 (c) Bids submitted to a county or county agency pursuant to this Section shall not be
36 accepted after the time limit stated in the proposal for bids and shall not be opened except
37 in the presence of both the county purchasing agent or such agent's designee and the head
38 of the agency requesting the items. The bids shall be decided by the agency letting the
39 contract."

40 **SECTION 3.**

41 This Act shall become effective upon its approval by the Governor or upon its becoming law
42 without such approval.

43 **SECTION 4.**

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