

Senate Bill 211

By: Senators Johnson of the 1st, Pearson of the 51st, Harbison of the 15th and Crosby of the 13th

AS PASSED SENATE

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia
2 Annotated, relating to the general authority, duties, and procedure for state purchasing, so
3 as to exempt certain purchases from having to go through the Department of Administrative
4 Services; to provide for related matters; to provide an effective date; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 1 of Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated,
9 relating to the general authority, duties, and procedure for state purchasing, is amended by
10 revising Code Section 50-5-58, relating to cases where purchases through the Department
11 of Administrative Services are not mandatory, as follows:

12 "50-5-58.

13 (a) ~~The Unless otherwise ordered by the Department of Administrative Services, the~~
14 purchase of supplies, materials, equipment, and services, other than professional and
15 personal employment services, through the Department of Administrative Services shall
16 not be mandatory in the following cases:

17 (1) Technical instruments and supplies and technical books and other printed matter on
18 technical subjects; also manuscripts, maps, books, pamphlets, and periodicals for the use
19 of any library in ~~the~~ this state supported by state funds; also services;

20 (2) Livestock for slaughter and perishable articles, such as fresh vegetables, fresh meat,
21 fish and oysters, butter, eggs, poultry, and milk. No other article shall be considered
22 perishable ~~within the meaning for the purposes of this clause paragraph~~ unless so
23 classified by the Department of Administrative Services; ~~and~~

24 (3) Emergency supplies of drugs, chemicals and sundries, dental supplies, and
25 equipment; and

26 (4) Routine office supplies used for the daily operation of an office which are, in the
27 ordinary course of business, commonly restocked every one to 12 months, including, but
28 not limited to, pens, pencils, paper, printer toner, staples, calendars, paperclips, staplers,
29 envelopes, ink cartridges, hole punchers, and other similar low budget items; provided,
30 however, that such routine office supplies shall not include office equipment or furniture,
31 such as computers, shelves, printers, chairs, copy machines, or similar items.

32 (b) In the purchasing of emergency supplies under paragraph (3) of subsection (a) of this
33 Code section, it shall be the duty of the department making such purchases to report same
34 to the Department of Administrative Services, giving the circumstances necessitating the
35 purchases.

36 (c) Nothing in this part shall be construed to give the Department of Administrative
37 Services any supervision over the selection or purchase of school textbooks, which is
38 vested by law in the Department of Education."

39 **SECTION 2.**

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

42 **SECTION 3.**

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