

House Bill 606

By: Representatives Taylor of the 55th, Ashe of the 56th, Gardner of the 57th, Kaiser of the 59th, Bell of the 58th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating and establishing a purchasing department in counties of this state
2 having a population of 200,000 or more, approved March 27, 1941 (Ga. L. 1941, p. 408), as
3 amended, particularly by an Act approved March 25, 1980 (Ga. L. 1980, p. 3858) and an Act
4 approved April 2, 1998 (Ga. L. 1998, p. 583), so as to change counties to which such Act is
5 applicable; to change certain provisions relative to public letting and bids; to provide an
6 effective date; to repeal conflicting laws; and for other purposes.

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

8 **SECTION 1.**

9 An Act creating and establishing a purchasing department in counties of this state having a
10 population of 200,000 or more, approved March 27, 1941 (Ga. L. 1941, p. 408), as amended,
11 particularly by an Act approved March 25, 1980 (Ga. L. 1980, p. 3858) and an Act approved
12 April 2, 1998 (Ga. L. 1998, p. 583), is amended by revising Section 1 as follows:

13 "SECTION 1.

14 There is hereby created in each county in this State having a population of 850,000 or more
15 according to the United States Census of 2000, or any future United States census, a County
16 Purchasing Department, which shall be set up, established, and maintained under the
17 jurisdiction of the Board of Commissioners of Roads and Revenues, or other county
18 authority."

19 **SECTION 2.**

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

21 "SECTION 9.

22 (a) If the county requires work, labor, supplies, materials, and equipment that requires an
23 expenditure of more than \$50,000.00, such work, labor, supplies, materials, and equipment

24 shall be procured only by contract on public letting founded on sealed bids under such
25 regulations as shall be made by the board of commissioners or other county authority. The
26 terms of such contracts, subject to such regulations and in conformity with law, shall be
27 settled by the county attorney as an act of preliminary specification to a proposal for bids.

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

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

38 **SECTION 3.**

39 This Act shall become effective on July 1, 2012.

40 **SECTION 4.**

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