

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1088

Short Title: DHHS/Procurement Methods. (Public)

Sponsors: Representatives Braxton; Harrison, Jones, and Parmon.

Referred to: Mental Health Reform, if favorable, State Government/State Personnel.

April 7, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO EXEMPT FROM THE PURCHASES AND CONTRACTS LAW PURCHASES
3 BY CERTAIN MENTAL HEALTH, DEVELOPMENTAL DISABILITIES, AND
4 SUBSTANCE ABUSE SERVICES FACILITIES.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 143-56 reads as rewritten:

7 "§ 143-56. **Certain purchases excepted from provisions of Article.**

8 Unless as may otherwise be ordered by the Secretary of Administration, the purchase of
9 supplies, materials and equipment through the Secretary of Administration shall be mandatory
10 in the following cases:

11 (1) Published books, manuscripts, maps, pamphlets and periodicals.

12 (2) Perishable articles such as fresh vegetables, fresh fish, fresh meat, eggs, and
13 others as may be classified by the Secretary of Administration.

14 Purchase through the Secretary of Administration shall not be mandatory for information
15 technology purchased in accordance with Article 3D of Chapter 147 of the General Statutes, for
16 a purchase of supplies, materials or equipment for the General Assembly if the total
17 expenditures is less than the expenditure benchmark established under the provisions of
18 G.S. 143-53.1, for group purchases made by ~~hospitals~~ hospitals, developmental centers,
19 neuromedical treatment centers, and alcohol and drug abuse treatment centers through a
20 competitive bidding purchasing program, as defined in G.S. 143-129, by the University of
21 North Carolina Health Care System pursuant to G.S. 116-37(h), by the University of North
22 Carolina Hospitals at Chapel Hill pursuant to G.S. 116-37(a) (4), by the University of North
23 Carolina at Chapel Hill on behalf of the clinical patient care programs of the School of
24 Medicine of the University of North Carolina at Chapel Hill pursuant to G.S. 116-37(a) (4), or
25 by East Carolina University on behalf of the Medical Faculty Practice Plan pursuant to
26 G.S. 116-40.6(c).

27 All purchases of the above articles made directly by the departments, institutions and
28 agencies of the State government shall, whenever possible, be based on competitive bids.
29 Whenever an order is placed or contract awarded for such articles by any of the departments,
30 institutions and agencies of the State government, a copy of such order or contract shall be
31 forwarded to the Secretary of Administration and a record of the competitive bids upon which
32 it was based shall be retained for inspection and review."

33 SECTION 2. This act is effective when it becomes law and applies to purchases
34 made on and after that date.

