

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2003**

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**HOUSE DRH10227-RH-2 (4/2)**

Short Title: Purchase Flex/Sch Transportation.

(Public)

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Sponsors: Representative Moore.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO INCREASE PURCHASING FLEXIBILITY FOR PUBLIC SCHOOLS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 115C-522.1 reads as rewritten:

**"§ 115C-522.1. Purchasing flexibility.**

(a) Repealed by Session Laws 1998-194, s.1.

(b) Local school administrative units shall have the authority to purchase supplies, equipment, and materials from noncertified sources subject to the following conditions:

(1) The purchase price, including the cost of delivery, is less than the cost under the State term contract;

(1a) The items are the same or substantially similar in quality, service, and performance as items available under State term contracts;

(2) The cost of the purchase shall not exceed the bid value benchmark established under G.S. 143-53.1;

(3) The local school administrative unit maintains written documentation of the cost savings; and

(4) Repealed by Session Laws 1998-194, s.1.

(5) The local school administrative unit notifies the Department of Administration of any purchases of items it made that are substantially equivalent to and not the same as items under State term contracts.

(c) The requirements listed in subsection (b) of this section shall not apply to purchases from noncertified sources that fall below the economic ordering quantity of a State term contract.

(d) Upon the request of the Department of Administration, a local school administrative unit shall provide the written documentation of cost savings required under subdivision (3) of subsection (b) of this section.

1       ~~(e) The State Board shall adopt rules to exempt from this section supplies,~~  
2 ~~equipment, and materials related to student transportation. The State Board shall adopt~~  
3 ~~guidelines regarding the interpretation and implementation of this section."~~

4           **SECTION 2.** This act is effective when it becomes law.