

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

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**HOUSE BILL 888**

Short Title: Purchase Flex/Sch Transportation. (Public)

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Sponsors: Representatives Moore; and Glazier.

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Referred to: Education.

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April 7, 2003

1 A BILL TO BE ENTITLED  
2 AN ACT TO INCREASE PURCHASING FLEXIBILITY FOR PUBLIC SCHOOLS.  
3 The General Assembly of North Carolina enacts:

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

5 **"§ 115C-522.1. Purchasing flexibility.**

6 (a) Repealed by Session Laws 1998-194, s.1.

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

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

12 (1a) The items are the same or substantially similar in quality, service, and  
13 performance as items available under State term contracts;

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

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

18 (4) Repealed by Session Laws 1998-194, s.1.

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

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

25 (d) Upon the request of the Department of Administration, a local school  
26 administrative unit shall provide the written documentation of cost savings required  
27 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.