



# HOUSE BILL 236: Certain Counties/Purchasing Exemption

2015-2016 General Assembly

**Committee:** Senate State and Local Government  
**Introduced by:** Rep. Speciale  
**Analysis of:** Second Edition

**Date:** July 9, 2015  
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**SUMMARY:** *House Bill 236 would permit the sheriffs in Beaufort, Chowan, Currituck, Dare, Granville, Pasquotank, Stanly, and Washington Counties to purchase food and food supplies for the county's detention facility without complying with the formal and informal bidding requirements of G.S. 143-129 and G.S. 143-131(a).*

**CURRENT LAW:** Article 8 of Chapter 143 sets out the current general law for public building contracts. That Article generally requires separate or single-prime bidding.

The sections of Article 8 for construction or renovations of buildings that require or imply the separate or single-prime bidding process are:

- G.S. 143-128, regarding separate specifications for HVAC, Plumbing, Electrical, and general contract work under separate prime or single-prime bidding.
- G.S. 143-129, regarding formal bidding for public construction over \$500, 000 and goods over \$90,000.
- G.S. 143-131, regarding informal bidding procedures
- G.S. 143-132, concerning the minimum number of bids for a public construction contract.

A public school is not required to comply with the requirement to purchase all supplies under Article 8 of Chapter 143 when purchasing supplies and food for such school food services. G.S. 115C-264(c)

**BILL ANALYSIS:** House Bill 236 would permit the sheriffs in Beaufort, Chowan, Currituck, Dare, Granville, Pasquotank, Stanly, and Washington Counties to purchase food and food supplies for the county's detention facility without complying with the formal and informal bidding requirements of G.S. 143-129 and G.S. 143-131(a).

**EFFECTIVE DATE:** Effective when it becomes law.

**BACKGROUND:** **House Bill 58**, Certain Counties Sheriff/Food Purchases, granting the following counties the same authority, passed the House on 3/16/15, and is now in Senate State and Local Government: Alamance, Anson, Caswell, Craven, Cumberland, Davidson, Guilford, Onslow, Pamlico, Randolph, Rockingham, and Wake. **House Bill 312**, Certain Counties Sheriff/Food Purchases, granting the following counties the same authority, passed the House on 4/2/15, and is now in Senate State and Local Government: Cherokee, Haywood, Iredell, Madison, Orange, and Yancey.

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