



HOUSE BILL 312: Certain Counties Sheriff/Food Purchases

2015-2016 General Assembly

Committee:	Senate State and Local Government	Date:	July 9, 2015
Introduced by:	Rep. Presnell	Prepared by:	R. Erika Churchill, Kelly Q. Tornow, and Tawanda Foster, Committee Counsel
Analysis of:	Second Edition		

SUMMARY: *House Bill 312 would permit the sheriffs in Cherokee, Haywood, Iredell, Madison, Orange, and Yancey 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 312 would permit the sheriffs in Cherokee, Haywood, Iredell, Madison, Orange, and Yancey 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 236, Certain Counties/Purchasing Exemption, passed the House on 4/1/15, and is now in Senate State and Local Government: Beaufort, Chowan, Currituck, Dare, Granville, Pasquotank, Stanly, and Washington.

O. Walker Reagan
Director



Research Division
(919) 733-2578