

2018 -- S 2528

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LC005046  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS

Introduced By: Senator Joshua Miller

Date Introduced: March 01, 2018

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1           SECTION 1. Chapter 37-2 of the General Laws entitled "State Purchases" is hereby  
2 amended by adding thereto the following section:

3           **37-2-4.1. Applicability to enterprise fund entities.**

4           (a) Providing enterprise fund entities with the flexibility needed to serve their customers  
5 and patrons. The chief purchasing officer, as appointed pursuant to § 37-2-1, may, upon the  
6 request of the responsible official of an institution of postsecondary education, issue an  
7 administrative determination waiving the application of provisions of this chapter, which may  
8 include, but are not limited to, §§ 37-2-18, 37-2-18.1, and 37-2-22, that adversely affect the  
9 ability of an enterprise fund entity within the institution to achieve flexibility needed to serve  
10 their customers and strengthen the local, state and regional economy. Such administrative  
11 determinations shall include such provisions requiring open, fair, and impartial processes;  
12 transparency; accountability, and reporting, which the chief purchasing officer finds necessary to  
13 ensure the ongoing integrity of the purchasing processes established by this chapter while at the  
14 same time providing for the accomplishment of the purposes of this section. Such administrative  
15 determinations shall not be unreasonably withheld.

16           (b) Existing agreements. Agreements in effect at the time of the enactment of this section  
17 shall not be affected by its enactment; provided, however, that the using agency and the  
18 contractor may agree that a supplemental agreement should be entered into in accordance with the  
19 provisions of this chapter to accomplish the purposes of this section.

1            (c) Construction. The provisions of this section shall be liberally construed to accomplish  
2            its purposes.

3            SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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1           This act would grant to enterprise fund entities the flexibility to serve the interests of their  
2 customers and patrons, to facilitate efficient operations, and use their purchasing power to  
3 strengthen the local economy, by allowing for the waiver of certain state purchasing  
4 requirements.

5           This act would take effect upon passage.

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