

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

941S0696

SENATE BILL NO. 168

Introduced by: Senator Haverly and Representative Perry

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding certain state
2 purchases of supplies and services.

3 Section 1. That chapter 13-53C be amended by adding thereto a NEW SECTION to read as
4 follows:

5 Any purchasing agency as defined in § 5-18A-1, may purchase through the Midwestern
6 Regional Higher Education Compact group purchasing programs any supplies, equipment,
7 commodities, or other products or services available through such programs. The powers
8 conferred by this section shall be in addition to and supplemental to the powers conferred by any
9 other law, general or special, and purchases may be made notwithstanding the provisions of any
10 other such law and without regard to the procedure required by any other laws restricting the
11 authority to purchase.

12 Section 2. That § 5-18A-11 be amended to read as follows:

13 5-18A-11. Unless otherwise specified by statute, purchases of supplies and services under
14 twenty-five thousand dollars shall be made as follows:

15 (1) State purchases of supplies over ~~one~~ five thousand dollars and under twenty-five



1 thousand dollars shall be processed by ~~the Bureau of Administration and shall be~~
2 state agencies and institutions in accordance with procedures established by their
3 respective purchasing agencies, if the purchases are made by first ~~obtaining~~ seeking
4 three quotes from different vendors. ~~If three quotes cannot be obtained, a sole source~~
5 ~~justification shall accompany the purchase request and the Bureau of Administration~~
6 ~~may approve the purchase if in the best interest of the state, require additional quotes~~
7 ~~to be obtained, or require the purchase be advertised for bids;~~

8 (2) State purchases of supplies under ~~one~~ five thousand dollars may be made in
9 accordance with procedures established by the purchasing agency in the best interests
10 of the state;

11 (3) State purchases of services under twenty-five thousand dollars may be made in
12 accordance with procedures established by the purchasing agency in the best interests
13 of the state; and

14 (4) For all other purchasing agencies, purchases under twenty-five thousand dollars may
15 be made in accordance with procedures established by the purchasing agency.

16 No purchases may be artificially divided to constitute a small purchase under this section.