

Senate File 283

S-3106

1 Amend Senate File 283 as follows:

2 1. By striking everything after the enacting clause and  
3 inserting:

4 <Section 1. Section 279.7A, Code 2019, is amended to read  
5 as follows:

6 **279.7A Interest in public contracts prohibited — exceptions.**

7 1. A member of the board of directors of a school  
8 corporation shall not have an interest, direct or indirect, in  
9 a contract for the purchase of goods, including materials and  
10 profits, and the performance of services for the director's  
11 school corporation. A contract entered into in violation of  
12 this section is void.

13 2. This section does not apply to contracts for the  
14 purchase of goods or services which benefit a director, or  
15 to compensation for part-time or temporary employment which  
16 benefits a director, if the benefit to the director does not  
17 exceed two thousand five hundred dollars or the optional  
18 threshold amount in a fiscal year, and contracts made by  
19 a school board, upon competitive bid in writing, publicly  
20 invited and opened. For purposes of this subsection, "optional  
21 threshold amount" means six thousand dollars for a purchase of  
22 goods and services if the purchase is approved by the board  
23 following public notice and without the vote of any benefitted  
24 director.

25 3. This section does not apply to a contract that is a  
26 bond, note, or other obligation of a school corporation if the  
27 contract is not acquired directly from the school corporation,  
28 but is acquired in a transaction with a third party, who may  
29 or may not be the original underwriter, purchaser, or obligee  
30 of the contract, or to a contract in which a director has an  
31 interest solely by reason of employment if the contract is made  
32 by competitive bid in writing, publicly invited and opened, or  
33 if the remuneration of employment will not be directly affected  
34 as a result of the contract and the duties of employment do not  
35 directly involve the procurement or preparation of any part of

1 the contract.

2 4. The competitive bid qualification of [this section](#)  
3 does not apply to a contract for professional services not  
4 customarily awarded by competitive bid.

5 Sec. 2. Section 331.342, subsection 1, Code 2019, is amended  
6 to read as follows:

7 1. As used in [this section](#), ~~“contract”~~:

8 a. “Contract” means a claim, account, or demand against  
9 or agreement with a county, express or implied, other than a  
10 contract to serve as an officer or employee of the county.  
11 However, contracts subject to [section 314.2](#) are not subject to  
12 this section.

13 b. “Optional threshold amount” means six thousand dollars  
14 for a purchase of goods and services if the purchase is  
15 approved by the county following public notice and without the  
16 vote of any benefitted officer or employee of the county.

17 Sec. 3. Section 331.342, subsection 2, paragraph j, Code  
18 2019, is amended to read as follows:

19 j. Contracts not otherwise permitted by [this section](#), for  
20 the purchase of goods or services by a county, which benefit a  
21 county officer or employee, if the purchases benefiting that  
22 officer or employee do not exceed a cumulative total purchase  
23 price of one thousand five hundred dollars or the optional  
24 threshold amount in a fiscal year.

25 Sec. 4. Section 362.5, subsection 1, Code 2019, is amended  
26 to read as follows:

27 1. When used in [this section](#), ~~“contract”~~:

28 a. “Contract” means any claim, account, or demand against or  
29 agreement with a city, express or implied.

30 b. “Optional threshold amount” means six thousand dollars  
31 for a purchase of goods and services if the purchase is  
32 approved by the city following public notice and without the  
33 vote of any benefitted officer or employee of the city.

34 Sec. 5. Section 362.5, subsection 3, paragraphs j and k,  
35 Code 2019, are amended to read as follows:

1     *j.* Contracts not otherwise permitted by [this section](#), for  
2 the purchase of goods or services by a city having a population  
3 of more than two thousand five hundred, which benefit a city  
4 officer or employee, if the purchases benefiting that officer  
5 or employee do not exceed a cumulative total purchase price of  
6 one thousand five hundred dollars or the optional threshold  
7 amount in a fiscal year.

8     *k.* Contracts not otherwise permitted by [this section](#) for  
9 the purchase of goods or services by a city having a population  
10 of two thousand five hundred or less, which benefit a city  
11 officer or employee, if the purchases benefiting that officer  
12 or employee do not exceed a cumulative total purchase price of  
13 two thousand five hundred dollars or the optional threshold  
14 amount in a fiscal year.>

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ROBERT M. HOGG