

House File 2024 - Introduced

HOUSE FILE 2024

BY WILLS

A BILL FOR

1 An Act relating to state agency authority relating to
2 purchasing procedures and executive branch employee travel
3 claims.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

PURCHASING PROCEDURES

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2
3 Section 1. Section 8A.311, subsection 10, Code 2018, is
4 amended to read as follows:

5 10. ~~a.~~ The director shall adopt rules providing that any
6 state agency may, ~~upon request and approval by the department,~~
7 purchase directly from a vendor if the direct purchasing is
8 more economical than purchasing through the department, if
9 the agency shows that direct purchasing by the state agency
10 would be in the best interests of the state due to an immediate
11 or emergency need, or if the purchase will not exceed ~~ten~~
12 twenty-five thousand dollars and the purchase would contribute
13 to the agency complying with the targeted small business
14 procurement goals under ~~sections 73.15 through 73.21.~~ A state
15 agency that makes such a purchase shall promptly notify the
16 department that the agency has done so. The notification shall
17 include documentation demonstrating that the purchase met the
18 criteria for a direct purchase provided in this subsection.
19 Prior notification of or approval by the department for such
20 purchases shall not be required. Competitive bidding shall
21 not be required for such purchases. However, for a direct
22 purchase of twenty-five thousand dollars or less that is not
23 due to an immediate or emergency need, the state agency shall,
24 if multiple bidders are practicable, solicit bids from at least
25 three Iowa-based businesses and may select the bid that best
26 meets the needs of the state agency.

27 ~~b.~~ Any member of the executive council may bring before
28 the executive council for review a decision of the director
29 granting a state agency request for direct purchasing. The
30 executive council shall hear and review the director's decision
31 in the same manner as an appeal filed by an aggrieved bidder,
32 except that the three-day period for filing for review shall
33 not apply.

34 Sec. 2. Section 8A.311A, subsection 3, paragraph a, Code
35 2018, is amended to read as follows:

1 the conditions is if the purchase will not exceed \$10,000 and
2 the purchase would contribute to the agency complying with
3 targeted small business procurement goals.

4 The bill modifies that condition to permit a state agency
5 to engage in direct purchasing for any purchase that will not
6 exceed \$25,000. The bill also strikes the requirement for
7 a prior request and approval by the department for direct
8 purchasing. The bill requires a state agency that makes such
9 a purchase to promptly notify the department that it has done
10 so. The bill provides that the notification must include
11 documentation demonstrating that the purchase met the criteria
12 for a direct purchase provided in the bill. The bill provides
13 that prior notification of or approval by the department for
14 such purchases shall not be required. The bill provides that
15 competitive bidding shall not be required for such purchases.
16 In addition, for a direct purchase of \$25,000 or less that is
17 not due to an immediate or emergency need, the state agency
18 shall, if multiple bidders are practicable, solicit bids from
19 at least three Iowa-based businesses and select the bid that
20 best meets the needs of the state agency.

21 The bill also provides that a state agency that meets the
22 requirements for direct purchasing provided in the bill may
23 engage in direct purchasing instead of purchasing pursuant to a
24 master contract established by the department.

25 Division II of the bill concerns claims for reimbursement of
26 out-of-state travel by executive branch employees. Current law
27 requires the department of administrative services to develop
28 and implement an electronic travel authorization form which
29 shall be used by an executive branch employee when requesting
30 reimbursement for out-of-state travel. The bill strikes the
31 requirement for development and use of the electronic travel
32 form and instead provides that a claim for reimbursement shall
33 be allowed upon the approval of the claim by the head of the
34 employee's state agency. The bill requires each state agency
35 with authority to approve claims to establish a process for a

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1 detailed review of selected claims.