

**Senate File 2197 - Introduced**

SENATE FILE 2197

BY COURNOYER

**A BILL FOR**

1 An Act providing for purchases made by nonprofit corporations  
2 when performing public functions.

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

1 Section 1. NEW SECTION. 8A.141 Purchases made by nonprofit  
2 corporations performing public functions — performance-based  
3 process.

4 A nonprofit corporation formed or doing business under  
5 chapter 504 that receives public moneys to perform a public  
6 function under contract by engaging in a competitive bidding  
7 procedure may adopt a performance-based process for reviewing  
8 and ranking bids.

9 Sec. 2. NEW SECTION. 216B.3A Purchases made by nonprofit  
10 corporations performing public functions — performance-based  
11 process.

12 A nonprofit corporation formed or doing business under  
13 chapter 504 that receives public moneys to perform a public  
14 function under contract by engaging in a competitive bidding  
15 procedure may adopt a performance-based process for reviewing  
16 and ranking bids.

17 Sec. 3. NEW SECTION. 260C.19D Purchases made by nonprofit  
18 corporations performing public functions — performance-based  
19 process.

20 A nonprofit corporation formed or doing business under  
21 chapter 504 that receives public moneys to perform a public  
22 function under contract by engaging in a competitive bidding  
23 procedure may adopt a performance-based process for reviewing  
24 and ranking bids.

25 Sec. 4. NEW SECTION. 262.25 Purchases made by nonprofit  
26 corporations performing public functions — performance-based  
27 process.

28 A nonprofit corporation formed or doing business under  
29 chapter 504 that receives public moneys to perform a public  
30 function under contract by engaging in a competitive bidding  
31 procedure may adopt a performance-based process for reviewing  
32 and ranking bids.

33 Sec. 5. NEW SECTION. 279.34A Purchases made by nonprofit  
34 corporations performing public functions — performance-based  
35 process.

1 A nonprofit corporation formed or doing business under  
2 chapter 504 that receives public moneys to perform a public  
3 function under contract by engaging in a competitive bidding  
4 procedure may adopt a performance-based process for reviewing  
5 and ranking bids.

6 Sec. 6. NEW SECTION. 307.21A Purchases made by nonprofit  
7 corporations performing public functions — performance-based  
8 process.

9 A nonprofit corporation formed or doing business under  
10 chapter 504 that receives public moneys to perform a public  
11 function under contract by engaging in a competitive bidding  
12 procedure may adopt a performance-based process for reviewing  
13 and ranking bids.

14 Sec. 7. NEW SECTION. 331.908A Purchases made by nonprofit  
15 corporations performing public functions — performance-based  
16 process.

17 A nonprofit corporation formed or doing business under  
18 chapter 504 that receives public moneys to perform a public  
19 function under contract by engaging in a competitive bidding  
20 procedure may adopt a performance-based process for reviewing  
21 and ranking bids.

22 Sec. 8. NEW SECTION. 364.20A Purchases made by nonprofit  
23 corporations performing public functions — performance-based  
24 process.

25 A nonprofit corporation formed or doing business under  
26 chapter 504 that receives public moneys to perform a public  
27 function under contract by engaging in a competitive bidding  
28 procedure may adopt a performance-based process for reviewing  
29 and ranking bids.

30 Sec. 9. NEW SECTION. 904.312D Purchases made by nonprofit  
31 corporations performing public functions — performance-based  
32 process.

33 A nonprofit corporation formed or doing business under  
34 chapter 504 that receives public moneys to perform a public  
35 function under contract by engaging in a competitive bidding

1 procedure may adopt a performance-based process for reviewing  
2 and ranking bids.

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EXPLANATION

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The inclusion of this explanation does not constitute agreement with

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the explanation's substance by the members of the general assembly.

6 This bill provides that if a state or political subdivision  
7 awards moneys to a nonprofit corporation under contract  
8 to perform a public function, the nonprofit corporation  
9 when engaged in a competitive bidding procedure may adopt a  
10 performance-based process for reviewing and ranking bids.  
11 The bill specifically applies to those state agencies and  
12 local governments authorized to make purchases, including  
13 the department of administrative services (Code chapter 8A),  
14 the department for the blind (Code chapter 216B), community  
15 colleges (Code chapter 260C), the board of regents (Code  
16 chapter 262), the department of transportation (Code chapter  
17 307), counties (Code chapter 331), cities (Code chapter 364),  
18 and the department of corrections (Code chapter 904).