

1 SB52
2 115678-1
3 By Senator Barron
4 RFD: Finance and Taxation General Fund
5 First Read: 12-JAN-10
6 PFD: 12/16/2009

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8 SYNOPSIS: Currently, there is no provision in state
9 law which absolutely prohibits no-bid contracts.

10 This bill would prohibit no-bid contracts in
11 amounts in excess of \$7,500, but provide an
12 exception for emergency situations.
13

14 A BILL
15 TO BE ENTITLED
16 AN ACT
17

18 Relating to no-bid contracts, to prohibit no-bid
19 contracts in amounts in excess of \$7,500, and to make an
20 exception for declared emergencies.

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

22 Section 1. (a) Except as provided in subsection (b),
23 any contract with the State of Alabama in an amount in excess
24 of seven thousand five hundred dollars (\$7,500) shall be
25 competitively bid and open to the general public after a
26 reasonable and prudent period of advertising on a central
27 electronic site maintained by the state. Such contracts shall

1 be awarded to the lowest responsible bidder. Any contract
2 entered into without complying with the lowest competitively
3 bid requirement shall be null and void, and the state may not
4 honor any no-bid contract which fails to comply with this
5 section.

6 (b) Subsection (a) shall not apply to emergency
7 contracts necessary to protect the general welfare and safety
8 of the public; however, such contracts shall be designated as
9 emergency contracts and proclaimed as such by the Governor.
10 Notification of emergency contracts shall be given to the
11 public and the news media whenever executed and shall also be
12 posted on a central electronic site so as to give the public
13 and the news media additional access to all emergency contract
14 information and a detailed explanation as to the specific
15 cause of the emergency.

16 (c) Failure to follow the provisions of this section
17 shall cause the non-compliant person or persons to be removed
18 from his or her position or positions in state government upon
19 final conviction in a court of competent jurisdiction.

20 Section 2. This act shall be construed in pari
21 materia with other laws, but shall supersede any law in
22 conflict herewith.

23 Section 3. This act shall become effective
24 immediately following its passage and approval by the
25 Governor, or its otherwise becoming law.