

**SB325 ENROLLED**



1 SB325  
2 MS2QZ1H-3  
3 By Senator Singleton  
4 RFD: Fiscal Responsibility and Economic Development  
5 First Read: 25-Feb-26



## SB325 Enrolled

1 Enrolled, An Act,

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4 Relating to the Department of Commerce; to amend  
5 Sections 41-29-282 and 41-4-126, Code of Alabama 1975, to  
6 provide that the Alabama Industrial Development Training  
7 Institute (AIDT) within the Department of Commerce is exempt  
8 from the state procurement law and review by the Contract  
9 Review Permanent Legislative Oversight Committee.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Sections 41-29-282 and 41-4-126, Code of  
12 Alabama 1975, are amended to read as follows:

13 "§41-29-282

14 (a) AIDT shall operate as a division of the Department  
15 of Commerce. All of the powers, authority, duties, functions,  
16 policies, ~~and funds of~~, and appropriations to AIDT previously  
17 conferred upon or granted to AIDT reporting to the State Board  
18 of Education through the Division of Vocational-Technical  
19 Education or by Alabama Executive Order No. 2012-31 are  
20 confirmed, ratified, continued, transferred to, and vested in  
21 AIDT.

22 (b) All contracts, leases, grants, and agreements  
23 previously entered by AIDT shall continue in full force and  
24 effect without modification or interruption by this  
25 restructuring. AIDT may enter into new contracts, agreements,  
26 and other instruments necessary to procure goods, services,  
27 training, and related resources in furtherance of its purpose,  
28 as set forth in Section 41-29-280, and shall be exempt from



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29 Chapter 2 of Title 29, relating to Permanent Legislative  
30 Committees, including the Contract Review Legislative  
31 Oversight Committee.

32 (c) All property currently owned by AIDT shall continue  
33 to be the property of AIDT. If AIDT plans to construct any new  
34 building, retrofit or renovate any of its existing buildings,  
35 or request or receive any state or federal funding to  
36 construct, retrofit, or renovate any of its buildings, the  
37 AIDT director shall first certify to ~~a~~ the Governor that the  
38 proposal is consistent with the Strategic Workforce Plan.

39 (d) AIDT shall continue to be headed by a director, who  
40 shall be appointed by the Secretary of Commerce and shall  
41 serve at his or her pleasure. The powers, duties, and  
42 qualifications required of the director shall be as set forth  
43 in the AIDT Policy Manual, as amended from time to time and  
44 approved by the Secretary of Commerce."

45 "§41-4-126

46 (a) Unless otherwise ordered by rule, with approval of  
47 the Governor, the following supplies and services need not be  
48 procured through the Division of Procurement and are exempt  
49 from the competitive requirements of this article:

50 (1) Works of art for museum and public display.

51 (2) Published books in any format such as digital,  
52 audio, or hardcopy; maps; periodicals; and technical  
53 pamphlets.

54 (3) Utility services where no competition exists or  
55 where rates are fixed by law.

56 (4) Purchases of alcoholic beverages by the Alcoholic



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57 Beverage Control Board.

58 (5) Purchases of products made or manufactured by the  
59 blind or visually handicapped under the direction or  
60 supervision of the Alabama Institute for Deaf and Blind in  
61 accordance with Chapter 2 of Title 21.

62 (6) Photographs purchased from a federal agency.

63 (7) Barter transactions by the Department of  
64 Corrections.

65 (8) The purchase of insurance and supplies or services  
66 related to the purchase of insurance.

67 (9) Supplies and services that by their very nature are  
68 impossible to award by competitive process, as determined by  
69 the Chief Procurement Officer.

70 (10) The procurement of goods, services, training, and  
71 other related resources that are directly related to or for  
72 the benefit of a company with which the Department of Commerce  
73 or the Alabama Industrial Development Training Institute  
74 (AIDT) has executed an economic development project agreement.  
75 The Chief Procurement Officer, on request, may determine in  
76 writing whether a procurement is eligible for this exemption.  
77 AIDT shall make annual written reports to the Chief  
78 Procurement Officer of all procurements performed under this  
79 subdivision. In addition, the Chief Procurement Officer may  
80 request periodic reports on all procurements performed under  
81 this subdivision at any time.

82 (b) Any state department or agency whose principal  
83 business is honorariums is exempted from this chapter on  
84 purchases and contracts for services made by that department



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85 or agency.

86 (c) Nothing in this article is intended to repeal or  
87 limit any provision of Section 23-1-40 or Article 5 or Article  
88 6 of Chapter 2 of Title 23, commencing with Section 23-2-140,  
89 relating to the procurement authority of the State Department  
90 of Transportation and the Alabama Toll Road, Bridge and Tunnel  
91 Authority. To the extent any provision contained in this  
92 article conflicts with Section 23-1-40 or Article 5 or Article  
93 6 of Chapter 2 of Title 23, the latter governs.

94 (d) Nothing in this article repeals or limits any  
95 provision of Section 41-4-400, relating to the procurement  
96 authority of the Division of Construction Management. To the  
97 extent any provision contained in this article conflicts with  
98 Section 41-4-400, the latter governs.

99 (e) Nothing in this article repeals or limits any  
100 provision of Section 14-7-8, relating to the procurement  
101 authority of Alabama Correctional Industries. To the extent  
102 any provision contained in this article conflicts with Section  
103 14-7-8, the latter governs.

104 (f) This article does not apply to any state authority,  
105 board, or other entity with respect to contracts relating to  
106 the issuance of debt that is required to be repaid from  
107 sources other than state funds.

108 (g) This article does not apply to direct health care  
109 services provided by the Alabama Department of Public Health.

110 (h) Nothing in this article applies to the  
111 administration of health benefit plans by a governmental body  
112 and supplies or services related thereto.



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113 (i) Except for capital equipment, this article does not  
114 apply to the purchase by a public hospital of medical  
115 products, medical supplies, medical devices, services,  
116 implants, pharmaceuticals, fluids, gases, or any other medical  
117 products which are used in the course of treating patients, or  
118 to support the treatment of patients.

119 (j) (1) Except as provided in subdivision (2), the  
120 purchase of supplies or services negotiated on behalf of  
121 two-year and four-year colleges and universities may be  
122 awarded without competitive bidding, provided that no state  
123 revenues, appropriations, or other state funds are expended or  
124 committed and when it is determined by the respective board  
125 that financial benefits will accrue to the institution.

126 (2) When an Alabama business entity organized under the  
127 laws of this state is available to supply the product or  
128 service purchased or negotiated under subdivision (1), the  
129 Alabama business entity shall have preference unless the  
130 product or service supplied by a foreign corporation is  
131 substantially different or superior to the product or service  
132 supplied by the Alabama business entity.

133 (3) Public notice shall be provided by the purchasing  
134 agency within 10 days of the execution of a contract under  
135 this subsection. The public notice shall include, at a  
136 minimum, the terms and conditions of any of the supplies or  
137 services that are contracted through negotiation without being  
138 competitively bid and the name and address of the recipient of  
139 the contract.

140 (k) This article does not apply to purchases and



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141 contracts for the repair of equipment used in the construction  
142 and maintenance of highways by the Department of  
143 Transportation.

144 (l) This article does not apply to public works  
145 projects governed by Title 39.

146 (m) This article does not apply to the purchase by the  
147 Department of Transportation of road building materials for  
148 transportation infrastructure in the state. Road building  
149 materials may be purchased from private land owners or  
150 commercial providers from the nearest or most cost-effective  
151 source available for the particular application. Road building  
152 materials include dirt, gravel, stone, slag, or borrow  
153 materials, in natural state or processed by crushing, grading,  
154 or screening processes.

155 (n) This article does not apply to purchases of  
156 supplies and services for the maintenance and operation of  
157 highway infrastructure and right-of-way by the Department of  
158 Transportation.

159 (o) Nothing in this article is intended to repeal or  
160 limit any provision of Article 2, Chapter 1, Title 23,  
161 relating to the powers and authority of the Department of  
162 Transportation. To the extent any provision contained in this  
163 article conflicts with Article 2, Chapter 1, Title 23, the  
164 latter governs.

165 (p) Governmental bodies may purchase supplies from any  
166 vendor that offers the item at a price at least ten percent  
167 below the price established on a statewide contract by the  
168 Division of Procurement for the same item, provided that each



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169 purchase, whether for a single item or multiple items, does  
170 not exceed an amount established by rules of the Chief  
171 Procurement Officer. The Division of Procurement shall confirm  
172 that the terms and conditions of the purchases are  
173 substantially similar to those of the statewide contract for  
174 the same item prior to the approval of any purchase under this  
175 subsection. Any purchase that would be directly connected to  
176 any information technology network used by the state shall  
177 require prior approval by the Secretary of Information  
178 Technology. If the purchaser is to take possession of the  
179 purchased supplies at the vendor's physical location, any  
180 acquisition of supplies under this subsection may be purchased  
181 only from vendors physically located within the state. The  
182 price of any supplies purchased under this subsection shall be  
183 the market price readily available to the public at large. The  
184 acquisition of supplies under this subsection is subject to  
185 the supervision and administration of the Division of  
186 Procurement.

187 (q) Nothing in this article is intended to repeal or  
188 limit any provision of Chapter 61E of Title 16, relating to  
189 the powers and authority of the Department of Education to  
190 enter into joint purchasing agreements on behalf of  
191 educational institutions. To the extent any provision  
192 contained in this article conflicts with Chapter 61E of Title  
193 16, the latter governs.

194 (r) Nothing in this article shall be construed as  
195 repealing Section 9-2-106 or Section 9-2-107.

196 (s) This article does not apply to purchases by the



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197 Alabama Department of Rehabilitation Services of supplies and  
198 services for the Alabama Department of Rehabilitation Services  
199 consumers.

200 (t) This article does not apply to the Alabama Medicaid  
201 Agency for purposes of the selection of professional service  
202 providers for contracts with physicians, pharmacists,  
203 dentists, optometrists, opticians, nurses, and other health  
204 professionals which involve only service on agency task  
205 forces, boards, or committees."

206 Section 2. This act shall become effective on October  
207 1, 2026.



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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB325

Senate 17-Mar-26

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,  
Secretary.

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House of Representatives

Passed: 08-Apr-26

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By: Senator Singleton