

**SENATE BILL NO. 2370**

Introduced by

Senators Davison, Elkin

Representative Richter

1 A BILL for an Act to create and enact a new section to chapter 11-11 and a new section to  
2 chapter 40-05 of the North Dakota Century Code, relating to cooperative purchasing pursuant to  
3 a joint powers agreement; and to amend and reenact subsection 4 of section 11-11-14, and  
4 subsection 52 of section 40-05-01 of the North Dakota Century Code, relating to authorizing a  
5 city or a county to engage in cooperative purchasing.

6 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

7 **SECTION 1. AMENDMENT.** Subsection 4 of section 11-11-14 of the North Dakota Century  
8 Code is amended and reenacted as follows:

9 4. To control the finances, to contract debts and borrow money, to make payments of  
10 debts and expenses, to establish charges for any county or other services, and to  
11 control the property of the county, and to contract for cooperative purchases pursuant  
12 to a joint-powers agreement under chapter 54-40.3.

13 **SECTION 2.** A new section to chapter 11-11 of the North Dakota Century Code is created  
14 and enacted as follows:

15 **Cooperative purchasing - Authorized.**

16 With the approval of the board of county commissioners, a county may participate in  
17 cooperative purchasing agreements with the state, or another political subdivision of this state  
18 or any other state, by executing a joint-powers agreement under chapter 54-40.3. ~~A county also~~  
19 ~~may participate in cooperative purchasing programs established by any organization that offers~~  
20 ~~its goods or services as a result of competitive solicitation processes. Approval from the office of~~  
21 ~~management and budget under section 54-44.4-13 is not required for a cooperative purchasing~~  
22 ~~agreement executed under this section.~~

23 **SECTION 3. AMENDMENT.** Subsection 52 of section 40-05-01 of the North Dakota  
24 Century Code is amended and reenacted as follows:

1       52.   Supplies. To provide that supplies needed for the use of the municipality shall city be  
2           furnished by contract let to the lowest responsible bidder, except the city may contract  
3           for cooperative purchases pursuant to a joint-powers agreement under chapter  
4           54-40.3. This section does not apply to construction of public improvement as defined  
5           in chapter 48-01.2.

6       **SECTION 4.** A new section to chapter 40-05 of the North Dakota Century Code is created  
7 and enacted as follows:

8       **Cooperative purchasing - Authorized.**

9       With the approval of the board of city commissioners or the city council, a city may  
10 participate in cooperative purchasing agreements with the state, or another political subdivision  
11 of this state or any other state, by executing a joint-powers agreement under chapter 54-40.3. ~~A~~  
12 city also may participate in cooperative purchasing programs established by any organization  
13 that offers its goods or services as a result of competitive solicitation processes. Approval from  
14 the office of management and budget under section 54-44.4-13 is not required for a cooperative  
15 purchasing agreement executed under this section. This section does not apply to construction  
16 of a public improvement as defined in chapter 48-01.2.