



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 935**

### **SENATE BILL NO. 1615**

**By Green**

Substituted for: House Bill No. 1629

By Pitts, Johnson, Reedy

AN ACT to amend Tennessee Code Annotated, Section 12-3-1205, relative to cooperative purchasing agreements.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 12-3-1205(b), is amended by deleting subdivision (1) and substituting instead the following:

Notwithstanding any other law to the contrary, any municipality, county, utility district, or other local government of the state may participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of any goods, supplies, services, or equipment with one (1) or more other governmental entities outside this state, to the extent the laws of the other state permit the joint exercise of purchasing authority, or with an agency of the United States, to the extent federal law permits the joint exercise of purchasing authority, in accordance with an agreement entered into between or among the participants; provided, such goods, supplies, services, or equipment were procured in a manner that constitutes competitive bidding and were advertised, evaluated, and awarded by a governmental entity and made available for use by other governmental entities.

SECTION 2. Tennessee Code Annotated, Section 12-3-1205(b), is further amended by deleting subdivision (4) and substituting instead the following:

(4) This subsection (b) shall not apply to:

(A) Purchases of new or unused motor vehicles, unless the motor vehicles are manufactured for a special purpose as defined in § 12-3-1208;

(B) Purchases of construction, engineering, or architectural services; construction materials; or construction machinery, including, but not limited to, bulldozers and other heavy equipment utilized in construction or on construction sites. For purposes of this subsection (b)(4)(B), "construction materials" shall not include materials used in the operation of a municipal utility system, including, without limitation, transformers, conductors, insulators, poles, cross-arms, anchors, pipes, valves, meters, or other components or parts of a utility system, whether purchased in accordance with a purchasing agreement with the Tennessee Valley authority or another purchasing arrangement; or

(C) Purchases of fuel, fuel products, and lubricating oils.

SECTION 3. This act shall take effect July 1, 2016, the public welfare requiring it, and shall apply to cooperative purchasing agreements entered into on or after that date.

SENATE BILL NO. 1615

PASSED: April 18, 2016



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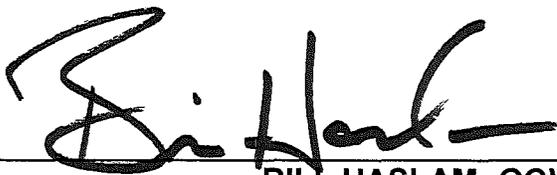
RON RAMSEY  
SPEAKER OF THE SENATE



Handwritten signature of Beth Harwell in black ink, written over a horizontal line.

BETH HARWELL, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 27<sup>th</sup> day of April 2016



Handwritten signature of Bill Haslam in black ink, written over a horizontal line.

BILL HASLAM, GOVERNOR