

**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 by executing  
18 a joint-powers agreement under chapter 54-40.3. A county also may participate in cooperative  
19 purchasing programs established by any organization that offers its goods or services as a  
20 result of competitive solicitation processes. Approval from the office of management and budget  
21 under section 54-44.4-13 is not required for a cooperative purchasing agreement executed  
22 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.

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

7            **Cooperative purchasing - Authorized.**

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