

CONFERENCE COMMITTEE REPORT

HB 477

2020 Regular Session

Ivey

June 1, 2020

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 477 by Representative Ivey, recommend the following concerning the Reengrossed bill:

- 1. That Senate Committee Amendment Nos. 1, 2, 3, and 5 by the Committee on Finance (#1915) be adopted.
- 2. That Senate Committee Amendment No. 4 by the Committee on Finance (#1915) be rejected.
- 3. That the following amendments be adopted:

AMENDMENT NO. 1

In Senate Committee Amendment No. 3 by the Committee on Finance (#1915), on page 1, delete lines 9 and 10 in their entirety and insert in lieu thereof:

"On page 1, delete line 16 in its entirety and insert in lieu thereof:

Section 2. R.S. 39:199(E), 200(I), 1600(E), 1621(A), (B), and (C)(1), and 1679(B) are"

AMENDMENT NO. 2

In Senate Committee Amendment No. 3 by the Committee on Finance (#1915), on page 2, between lines 27 and 28 insert: "Section 3. Section 1 of this Act shall take effect and become operative if and when the Act"

Respectfully submitted,

Representative Jerome "Zee" Zeringue

Senator Mack A. "Bodi" White, Jr.

Representative Barry Ivey

Senator Fred H. Mills, Jr.

Representative Markham Scott McKnight

Senator Ronnie Johns

 DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

CONFERENCE COMMITTEE REPORT DIGEST
HB 477
2020 Regular Session
Ivey
Keyword and oneliner of the instrument as it left the House

PURCHASING/PROCUREMENT CD: Provides relative to technology procurement

Report adopts Senate amendments to:

1. Adds a new Section to the bill that increases thresholds for various technology and consulting contracts and penalties.
2. Make technical changes.
3. Bifurcate the effective date.

Report rejects Senate amendments which would have:

1. Made a technical change to a section heading.

Report amends Senate amendments to:

1. Make technical changes, including changing where amendments are placed in the bill.

Digest of the bill as proposed by the Conference Committee

Present law (R.S. 39:196 et seq.) provides procedures and requirements for agencies in the executive branch of state government (other than agencies headed by a statewide elected official) to use for the purchase, lease, and rental of information technology equipment, related services, and software. Present law (R.S. 39:1551 et seq.) provides procedures and requirements for state procurement.

Proposed law retains present law and additionally provides that an agency shall not be required to follow the procedures provided in present law for procurement of software and the hardware used to support the software if the alternative procedures to be used by the agency are approved by the Jt. Legislative Committee on Technology and Cybersecurity and the specific procurement is approved by the Jt. Legislative Committee on the Budget.

Present law (R.S. 39:199) provides that public colleges or universities may procure information technology equipment, software and maintenance services without the advance approval of the office of state procurement when a single expenditure for such materials or services does not exceed \$100,000. Proposed law increases the threshold from \$100,000 to \$150,000.

Present law (R.S. 39:200) provides that all contracts for information technology procurement in excess of \$100,000 require the assistance of a procurement support team. Proposed law increases the threshold from \$100,000 to \$225,000.

Present law (R.S. 39:1600) provides that contracts for consulting services with a total maximum value of less than \$50,000 may be awarded as negotiated noncompetitive contracts. Proposed law increases the threshold from a total value of \$50,000 to \$75,000 in a twelve-month period.

Present law (R.S. 39:1621) provides that contracts for consulting services with a value of \$50,000 for a twelve-month period may be awarded without competitive bidding or competitive negotiation. Proposed law increases this threshold from \$50,000 for a twelve-month period to \$75,000 for a twelve-month period.

Present law further provides that contracts for consulting services with a total maximum compensation of \$50,000 or more in a twelve-month period shall be awarded pursuant to a request for proposals. Proposed law increases this threshold from \$50,000 or more in a twelve-month period to \$75,000 or more in a twelve-month period.

Present law further provides that all contracts for consulting services which have a total maximum amount of compensation of \$140,000 or more may be entered into with the assistance of a procurement support team. Proposed law increases this threshold from \$140,000 to \$225,000.

Present law (R.S. 39:1679) establishes a maximum penalty of \$500 for intentional violation of the La. Procurement Code or any rule or regulation with respect to purchasing promulgated by the commissioner of administration. Proposed law increases this penalty from \$500 to \$1,000.

Provisions with respect to alternative technology procurement procedures become effective if and when House Bill No. 636 of this 2020 R.S. is enacted and becomes effective. The remainder of the bill becomes effective upon signature of the governor.

(Amends R.S. 39:199(E), 200(I), 1600(E), 1621(A), (B), and (C)(1), and 1679(B); Adds R.S. 39:199.1)