

## RÉSUMÉ DIGEST

ACT 273 (HB 477)

2020 Regular Session

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Existing 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. Existing law (R.S. 39:1551 et seq.) provides procedures and requirements for state procurement.

New law creates an exception allowing an agency to not follow the procedures in existing 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 Joint Legislative Committee on Technology and Cybersecurity and the specific procurement is approved by the Joint Legislative Committee on the Budget.

Existing law (R.S. 39:199) provides an exception for public colleges or universities to procure information technology equipment, software, and maintenance services without the advance approval of the office of state procurement. Prior law authorized use of the exception if a single expenditure for such materials or services did not exceed \$100,000. New law increases the limit from \$100,000 to \$150,000.

Existing law (R.S. 39:200) provides that all contracts for information technology procurement in excess of a certain amount require the assistance of a procurement support team. Prior law set the threshold at \$100,000. New law increases this threshold from \$100,000 to \$225,000.

Existing law (R.S. 39:1600) provides an exception authorizing certain contracts for consulting services to be awarded as negotiated noncompetitive contracts. Prior law provided that only such contracts with a total maximum value below \$50,000 qualified for the exception. New law increases this limit from a total maximum value below \$50,000 to a total maximum amount of compensation less than \$75,000 in a twelve-month period.

Existing law (R.S. 39:1621) provides an exception authorizing contracts for consulting services with a value below a certain amount to be awarded without competitive bidding or competitive negotiation. Prior law provided that only contracts with a total maximum amount of compensation less than \$50,000 for a twelve-month period qualified for the exception. New law increases this limit from less than \$50,000 for a twelve-month period to less than \$75,000 for a twelve-month period.

Existing law further provides that contracts for consulting services above a certain value must be awarded pursuant to a request for proposals. Prior law established the threshold as a value of \$50,000 or more for a twelve-month period. New law increases this threshold to a value of \$75,000 or more in a twelve-month period.

Existing law further provides that all contracts for consulting services above a certain amount may be entered into with the assistance of a procurement support team. Prior law provided that contracts with a total maximum amount of compensation of \$140,000 or more qualified for the assistance of a procurement support team. New law increases this threshold from \$140,000 to \$225,000.

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

Provisions with respect to alternative technology procurement procedures become effective when House Bill No. 636 of this 2020 R.S. is enacted and becomes effective (Aug. 1, 2020). The remainder of the bill becomes effective upon signature of the governor (June 11, 2020).

(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)