

Regular Session, 2012

HOUSE BILL NO. 327

BY REPRESENTATIVE RICHARD

PUBLIC CONTRACTS: Provides for a 10% reduction of all state professional, personal, and consulting service contracts

## 1 AN ACT

2 To enact Subpart G of Part I of Chapter 16 of Subtitle III of Title 39 of the Louisiana  
3 Revised Statutes of 1950, to be comprised of R.S. 39:1493.11, relative to  
4 professional, personal, and consulting services procurement; to require a reduction  
5 in the dollar amount of certain professional, personal, and consulting service  
6 contracts; to provide for the submission of periodic reports; to provide for  
7 exceptions; to provide for an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Subpart G of Part I of Chapter 16 of Subtitle III of Title 39 of the  
10 Louisiana Revised Statutes of 1950, comprised of R.S. 39:1493.11, is hereby enacted to read  
11 as follows:

12 SUBPART G. REDUCTION OF CONTRACTS FOR FISCAL YEAR 2012-201313 §1493.11. Reduction of contracts for Fiscal Year 2012-2013

14 A.(1) The total dollar amount for professional, personal, and consulting  
15 service contracts under the jurisdiction of the office of contractual review for Fiscal  
16 Year 2012-2013 shall be reduced by no less than ten percent of the total dollar  
17 amount for such contracts for Fiscal Year 2011-2012.

18 (2) The office of contractual review shall submit reports on the status of the  
19 implementation of this Section to the Joint Legislative Committee on the Budget on  
20 October 1, 2012, January 1, 2013, April 1, 2013, and July 1, 2013.

1           B. The office of contractual review shall not approve any contract if such  
2           approval would increase the total dollar amount of contracts as required in  
3           Subsection A of this Section, unless such contract meets all of the following criteria:

4           (1) Either no employee of the contracting department or agency is both  
5           competent and available to perform the services called for by the proposed contract  
6           or the services called for are not the type readily susceptible to being performed by  
7           persons who are employed by the state on a continuing basis.

8           (2) The services are not available as a product of a prior or existing contract.

9           (3) The contracting department or agency has submitted to the office of  
10          contractual review a written plan to monitor and evaluate the performance called for  
11          in the proposed contract.

12          (4) It is more cost effective to obtain the proposed services through the  
13          contract than to have the services provided by the contracting department or agency  
14          if the department or agency can provide the services or by agreement with another  
15          state department or agency.

16          (5) The commissioner of administration determines that the proposed contract  
17          represents a priority expenditure for Louisiana state government.

18          Section 2. This Act shall become effective on July 1, 2012; if vetoed by the governor  
19          and subsequently approved by the legislature, this Act shall become effective on July 1,  
20          2012, or on the day following such approval by the legislature, whichever is later.

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#### 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)]

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Richard

HB No. 327

**Abstract:** Requires a 10% reduction in the total dollar amount for professional, personal, and consulting service contracts under the jurisdiction of the office of contractual review for FY 2012-2013.

Proposed law requires a 10% reduction in the total dollar amount for professional, personal, and consulting service contracts under the jurisdiction of the office of contractual review for FY 2012-2013.

Proposed law requires the office of contractual review to submit reports on the status of the implementation of proposed law to the Joint Legislative Committee on the Budget on Oct. 1, 2012, Jan. 1, 2013, April 1, 2013, and July 1, 2013.

Proposed law prohibits the office of contractual review from approving any contract if such approval would increase the total dollar amount of contracts above the reduction required in proposed law, unless such contract meets all of the following criteria:

- (1) Either no employee of the contracting department or agency is both competent and available to perform the services called for by the proposed contract or the services called for are not the type readily susceptible to being performed by persons who are employed by the state on a continuing basis.
- (2) The services are not available as a product of a prior or existing contract.
- (3) The contracting department or agency has submitted to the office of contractual review a written plan to monitor and evaluate the performance called for in the proposed contract.
- (4) It is more cost effective to obtain the proposed services through the contract than to have the services provided by the contracting department or agency if the department or agency can provide the services or by agreement with another state department or agency.
- (5) The commissioner of administration determines that the proposed contract represents a priority expenditure for La. state government.

Effective July 1, 2012.

(Adds R.S. 39:1493.11)