

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 1997

SESSION LAW 1998-68  
HOUSE BILL 1368

AN ACT TO PROVIDE COMMUNITY COLLEGES WITH ADDITIONAL  
PURCHASING FLEXIBILITY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 115D-58.5(b) reads as rewritten:

"(b) Each institution shall be governed in its purchasing of all supplies, equipment, and materials by contracts made by or with the approval of the Purchase and Contract Division of the Department of ~~Administration.~~ Administration except as provided in G.S. 115D-58.14. No contract shall be made by any board of trustees for purchases unless provision has been made in the budget of the institution to provide payment thereof. In order to protect the State purchase contracts, it is the duty of the board of trustees and administrative officers of each institution to pay for such purchases promptly in accordance with the contract of purchase. Equipment shall be titled to the State Board of Community Colleges if derived from State or federal funds."

Section 2. Article 4A of Chapter 115D is amended by adding a new section to read:

**"§ 115D-58.14. Purchasing flexibility.**

(a) Community colleges and the Center for Applied Textile Technology may purchase the same supplies, equipment, and materials from noncertified sources as are available under State term contracts, subject to the following conditions:

- (1) The purchase price, including the cost of delivery, is less than the cost under the State term contract; and
- (2) The cost of the purchase shall not exceed the bid value benchmark established under G.S. 143-53.1.

(b) The State Board of Community Colleges and the Department of Administration shall adopt policies and procedures for monitoring the implementation of this section."

Section 3. This act is effective when it becomes law and applies to purchases made on or after that date.

In the General Assembly read three times and ratified this the 20th day of July, 1998.

s/ Dennis A. Wicker  
President of the Senate

s/ Harold J. Brubaker

Speaker of the House of Representatives

s/ James B. Hunt, Jr.  
Governor

Approved 8:31 a.m. this 30th day of July, 1998