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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 2805** Session of  
2008

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INTRODUCED BY TURZAI, GRELL, REICHLEY, GODSHALL, WATSON, MAJOR,  
M. KELLER, EVERETT, FLECK, R. STEVENSON, CUTLER, KAUFFMAN,  
SAYLOR, HARHART, CAUSER, HENNESSEY, MENSCH, COX AND ROCK,  
SEPTEMBER 29, 2008

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 29, 2008

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AN ACT

1 Amending Title 62 (Procurement) of the Pennsylvania Consolidated  
2 Statutes, placing a limitation on emergency procurement.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Section 516 of Title 62 of the Pennsylvania  
6 Consolidated Statutes is amended to read:

7 § 516. Emergency procurement.

8 [The] (a) General rule.--Except as provided in subsection  
9 (b), the head of a purchasing agency may make or authorize  
10 others to make an emergency procurement when there exists a  
11 threat to public health, welfare or safety or circumstances  
12 outside the control of the agency create an urgency of need  
13 which does not permit the delay involved in using more formal  
14 competitive methods. Whenever practical, in the case of a  
15 procurement of a supply, at least two bids shall be solicited. A  
16 written determination of the basis for the emergency and for the  
17 selection of the particular contractor shall be included in the

1 contract file.

2 (b) Legal services.--The head of any purchasing agency shall  
3 have no power to procure the services of lawyers or legal  
4 services under the provisions of this section.

5 Section 2. This act shall take effect January 1, 2009.