

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 397 Session of 2011

INTRODUCED BY COHEN, CALTAGIRONE AND WAGNER, FEBRUARY 2, 2011

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 2, 2011

AN ACT

1 Amending Title 62 (Procurement) of the Pennsylvania Consolidated
2 Statutes, in Commonwealth Procurement Code, providing for
3 contracts in accordance with policies and procedures of the
4 Secretary of the Budget.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Title 62 of the Pennsylvania Consolidated Statutes
8 is amended by adding a section to read:

9 § 109. Contracts in accordance with policies and procedures of
10 the Secretary of the Budget.

11 (a) General rule.--Except as otherwise provided under
12 subsection (b), no contract shall be implemented and no
13 supplies, services or construction shall be accepted or work
14 begun on any contract that has not been entered into in
15 accordance with the policies and procedures approved by the
16 Secretary of the Budget.

17 (b) Nonapplicability.--The provisions of subsection (a)
18 shall not apply where:

19 (1) there is a threat to public health, welfare or

1 safety; or
2 (2) there are circumstances outside the control of the
3 Commonwealth agency that create an urgency of need that does
4 not permit the delay involved using formal, competitive
5 methods.

6 Section 2. This act shall take effect in 60 days.