

Sixty-sixth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1454

Introduced by

Representatives Pyle, Dockter, M. Ruby, Schreiber-Beck

Senators Schaible, Sorvaag

1 A BILL for an Act to amend and reenact section 15.1-09-34 of the North Dakota Century Code,
2 relating to bids for school district contracts.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 15.1-09-34 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **15.1-09-34. Contracts by school boards - Bids - Penalty.**

- 7 1. Except as provided in this section, the board of a school district may not enter a
8 contract involving the expenditure of an aggregate amount greater than ~~twenty-five~~fifty
9 thousand dollars unless the school board has given ten days' notice by publication in
10 the official newspaper of the district, received sealed bids, and accepted the bid of the
11 lowest responsible bidder. This section does not apply to contracts for:
- 12 a. The personal services of district employees.
 - 13 b. Textbooks and reference books.
 - 14 c. Articles not sold on the open market.
 - 15 d. Patented, copyrighted, or exclusively sold devices or features required to match
16 articles already in use.
 - 17 e. Patented, copyrighted, or exclusively sold articles so distinctive that only one
18 brand can be purchased.
 - 19 f. Building construction projects under chapter 48-01.2.
 - 20 g. School transportation services purchased under section 15.1-30-11.
 - 21 h. Vehicle fuel purchased under section 15.1-09-34.1.
 - 22 i. Heating fuel purchased under section 15.1-09-34.1.
 - 23 j. The purchase of a used motor vehicle, including a schoolbus, motorbus, or van,
24 intended primarily for the transportation of students.

- 1 k. Cooperative purchases with the office of management and budget under chapter
2 54-44.4.
- 3 l. The purchase of products from prison industries under chapter 12-48.
- 4 m. The purchase of products from work activity centers under chapter 25-16.2.
- 5 n. Cooperative purchases of at least fifty thousand dollars but not exceeding one
6 hundred thousand dollars, made pursuant to a joint powers agreement under
7 chapter 54-40.3.
- 8 2. For purposes of this section, a "used motor vehicle" means a motor vehicle that has
9 been previously owned or leased and which has an odometer reading in excess of
10 eighteen thousand miles [28967 kilometers].
- 11 3. A board member who participates in a violation of this section is guilty of a class B
12 misdemeanor.