

63G-6a-1209 Leases.

- (1) As used in this section, "lease" means for a procurement unit to lease or lease-purchase a procurement item from a person.
- (2) This section does not apply to the lease of real property.
- (3) A procurement unit may not lease a procurement item unless the procurement unit complies with the requirements of this section.
- (4) A procurement unit may lease a procurement item if:
 - (a) the procurement officer determines that it is in the best interest of the procurement unit to lease the procurement item, after the procurement officer:
 - (i) investigates alternative means of obtaining the procurement item; and
 - (ii) considers the costs and benefits of the alternative means of obtaining the procurement item;
 - (b) all conditions for renewal and cost are included in the lease;
 - (c) the lease is awarded through a standard procurement process, or an exception to a standard procurement process described in Part 8, Exceptions to Procurement Requirements;
 - (d) for a standard procurement process, the invitation for bids, request for proposals, or request for quotes states:
 - (i) that the procurement unit is seeking, or willing to consider, a lease; and
 - (ii) for a lease purchase, that the procurement unit is seeking, or willing to consider, a lease-purchase;
 - (e) the lease is not used to avoid competition; and
 - (f) the lease complies to all other provisions of law or rule applicable to the lease.

Enacted by Chapter 445, 2013 General Session