

COUNTY PURCHASING AGENT AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Margaret Dayton

House Sponsor: Bradley M. Daw

LONG TITLE

General Description:

This bill amends county purchasing agent provisions.

Highlighted Provisions:

This bill:

- ▶ authorizes, under certain circumstances, the county executive to:
 - locate a county purchasing agent's office in the county auditor's office; and
 - delegate supervision of the county purchasing agent to the county auditor; and
- ▶ makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-53-307, as renumbered and amended by Laws of Utah 2000, Chapter 133

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **17-53-307** is amended to read:

17-53-307. County purchasing agent -- Appointment -- Compensation -- Oath --

Supervision -- Duties.

(1) The county executive, with the advice and consent of the county legislative body, in each county having a taxable value in excess of \$500,000,000 may appoint a county purchasing

30 agent.

31 (2) The agent shall qualify by taking, subscribing, and filing the constitutional oath and
32 giving bond to the county in a sum fixed by the county legislative body.

33 (3) (a) The county purchasing agent shall, under the direction and supervision of the
34 county executive and except as provided in Subsection (3)(b):

35 ~~[(a)]~~ (i) negotiate for the purchase of or contract for all supplies and materials required
36 by the county;

37 ~~[(b)]~~ (ii) submit all contracts and purchases negotiated by the purchasing agent under
38 Subsection (3)(a)(i) to the county executive for approval and ratification; and

39 ~~[(c)]~~ (iii) keep an accurate and complete record of all purchases and a detailed
40 disposition of them and, when required by the county legislative body, make a complete and
41 detailed report to it of business transacted.

42 (b) Subject to Subsection (3)(c), the county executive may structure the county
43 purchasing agent's office so that:

44 (i) the county purchasing agent's office is physically located within the county auditor's
45 office; and

46 (ii) the county purchasing agent receives direction and supervision from the county
47 auditor.

48 (c) The county executive:

49 (i) may not structure the county purchasing agent's office as described in Subsection
50 (3)(b) unless:

51 (A) the county executive receives the advice and consent of the county council; and

52 (B) the county executive and county auditor agree, in writing, to the proposed structure,
53 including the level of direction and supervision of the county purchasing agent retained by the
54 county executive; and

55 (ii) shall maintain the level of direction and supervision over the county purchasing
56 agent as agreed upon with the county auditor.

57 (4) The county executive may exclude from the purchasing agent's responsibility a

58 county clerk's duties concerning elections or a sheriff's duties under Section 17-22-8.