

SENATE BILL No. 40

By Senator Reitz

1-21

1 AN ACT concerning counties; relating to bidding requirements on certain
2 contracts; amending K.S.A. 2010 Supp. 19-214 and repealing the
3 existing section.
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2010 Supp. 19-214 is hereby amended to read as
7 follows: 19-214. (a) Except as provided in subsection (b), in K.S.A. 19-
8 216a, and amendments thereto, all contracts for the expenditure of county
9 moneys for the construction of any courthouse, jail or other county
10 building, or the construction of any bridge, highway, road, dam, turnpike
11 or related structures or stand-alone parking lots in excess of \$25,000,
12 shall be awarded, on a public letting, to the lowest and best bid. The
13 person, firm or corporation to whom the contract may be awarded shall
14 give and file with the board of county commissioners a good and
15 sufficient surety bond by a surety company authorized to do business in
16 the state of Kansas, to be approved by the county attorney or county
17 counselor, in the amount of the contract, and conditioned for the faithful
18 performance of the contract.

19 (b) The provisions of subsection (a) shall not apply: (1) To the
20 expenditure of county funds for professional services; (2) to the
21 provisions of K.S.A. 68-521, and amendments thereto; ~~or~~ (3) to the
22 purchase of contracts of insurance; *or (4) to the repair of any courthouse,*
23 *jail or other county building or the repair or replacement of any such*
24 *building's equipment when an emergency based upon public health,*
25 *safety and welfare is declared by the board of county commissioners.*
26 *Such emergency shall be defined as an occurrence of severe damage to a*
27 *building or its equipment resulting from any natural or manmade cause,*
28 *including fire, flood, earthquake, wind, storm, explosion, riot, terrorism*
29 *or hostile military or paramilitary action, or events of similar nature or*
30 *character. Such damage must be so severe it prevents the building or*
31 *equipment from being used for its intended function.*

32 Sec. 2. K.S.A. 2010 Supp. 19-214 is hereby repealed.

33 Sec. 3. This act shall take effect and be in force from and after its
34 publication in the statute book.
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