

ACT No. 376

Regular Session, 2010

HOUSE BILL NO. 472

BY REPRESENTATIVE MONToucET

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AN ACT

To enact R.S. 38:2212.8 and Chapter 24 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2181 and 2182, relative to procurement; to prohibit public entities from contracting with dealers who do not possess a valid dealer license issued by the Louisiana Motor Vehicle Commission; to require proof of certain dealers licenses; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 38:2212.8 is hereby enacted to read as follows:

§2212.8. Prohibition of bids from or contracts with unlicensed dealers

A. A public entity shall not accept any bid from or enter into any contract or cooperative endeavor agreement, or any other transaction for the procurement of vehicles, with a dealer who does not possess a valid dealer's license issued under the provisions of R.S. 32:1254.

B. A public entity shall require that any bid submitted by, or a contract or cooperative endeavor agreement with, a dealer for the purchase of vehicles shall include a copy of a valid dealer's license issued under the provisions of R.S. 32:1254.

C. A public entity shall reject any bid submitted by a dealer for the purchase of vehicles which does not include a copy of a valid dealer license.

D. A public entity shall not sign a contract or cooperative endeavor agreement with a dealer for the purchase of vehicles which does not include a copy of a valid dealer license.

E. If in the course of an audit or review by the legislative auditor, pursuant to the powers and duties in R.S. 24:513, a violation of this Section is found, the

1 legislative auditor shall report such findings to the Louisiana Motor Vehicle
2 Commission.

3 Section 2. Chapter 24 of Title 39 of the Louisiana Revised Statutes of 1950,
4 comprised of R.S. 39:2181 and 2182, is hereby enacted to read as follows:

5 CHAPTER 24. PROHIBITIONS IN PUBLIC GOVERNMENTAL
6 CONTRACTS AND PROCUREMENT

7 §2181. Applicability; definitions

8 A. This Chapter shall apply to any contract or cooperative endeavor
9 agreement that results from any bid or other award governed under Chapter 16 and
10 Chapter 17 of this Title.

11 B. For the purpose of this Chapter, "public entity" shall mean any agency,
12 board, commission, department, or public corporation of the state, created by the
13 constitution or statute or pursuant thereto, or any political subdivision of the state,
14 including but not limited to any political subdivision as defined by Article VI,
15 Section 44 of the Constitution of Louisiana, and any public housing authority, public
16 school board, or any public officer whether or not an officer of a public corporation
17 or political subdivision.

18 §2182. Prohibition of bids from or contracts with unlicensed dealers

19 A. A public entity shall not accept any bid from or enter into any contract or
20 cooperative endeavor agreement, or any other transaction for the procurement of
21 vehicles, with a dealer who does not possess a valid dealer's license issued under the
22 provisions of R.S. 32:1254.

23 B. A public entity shall require that any bid submitted by, or a contract or
24 cooperative endeavor agreement with, a dealer for the purchase of vehicles shall
25 include a copy of a valid dealer's license issued under the provisions of R.S. 32:1254.

26 C. A public entity shall reject any bid submitted by a dealer for the purchase
27 of vehicles which does not include a copy of a valid dealer's license.

28 D. A public entity shall not sign a contract or cooperative endeavor
29 agreement with a dealer for the purchase of vehicles which does not include a copy
30 of a valid dealer's license.

1 E. If in the course of an audit or review by the legislative auditor, pursuant
2 to the powers and duties in R.S. 24:513, a violation of this Section is found, the
3 legislative auditor shall report such findings to the Louisiana Motor Vehicle
4 Commission.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____