

**Introduced by Senator Denham**

February 21, 2008

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An act to amend Section 10295 of the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1384, as introduced, Denham. Public contracts: approval of contracts.

Existing law requires the Department of General Services to approve certain contracts entered into by a state agency, including contracts for the acquisition of specified goods one services, the construction, alteration, improvement, repair, or maintenance of property, or the performance of work or services by the state agency for, or in cooperation with, any person or public body.

This bill would make a technical, nonsubstantive change to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 10295 of the Public Contract Code is  
2 amended to read:  
3 10295. (a) All contracts entered into by any state agency for  
4 (1) the acquisition of goods or elementary school textbooks, (2)  
5 services, whether or not the services involve the furnishing or use  
6 of goods or are performed by an independent contractor, (3) the  
7 construction, alteration, improvement, repair, or maintenance of  
8 property, real or personal, or (4) the performance of work or

1 services by the state agency for or in cooperation with any person,  
2 or public body, are void unless and until approved by the  
3 department. Every contract shall be transmitted with all papers,  
4 estimates, and recommendations concerning ~~it~~ *the contract* to the  
5 department and, if approved by the department, shall be effective  
6 from the date of the approval.

7 (b) This section applies to any state agency that by general or  
8 specific statute is expressly or impliedly authorized to enter into  
9 transactions referred to in this section.

10 (c) This section does not apply to the following:

11 (1) Any transaction entered into by the Trustees of the California  
12 State University, by the Board of Governors of the California  
13 Community Colleges, or by a department under the State Contract  
14 Act or the California State University Contract Law.

15 (2) Any contract of a type specifically mentioned and authorized  
16 to be entered into by the Department of Transportation under  
17 Section 14035 or 14035.5 of the Government Code, Sections 99316  
18 to 99319, inclusive, of the Public Utilities Code, or the Streets and  
19 Highways Code.

20 (3) Any contract entered into by the Department of  
21 Transportation that is not funded by money derived by state tax  
22 sources but, rather, is funded by money derived from federal or  
23 local tax sources.

24 (4) Any contract entered into by the Department of Personnel  
25 Administration for state employee benefits, occupational health  
26 and safety, training services, or combination thereof.

27 (5) Any contract let by the Legislature.

28 (6) Any contract entered into under the authority of Chapter 4  
29 (commencing with Section 11770) of Part 3 of Division 2 of the  
30 Insurance Code.