
Introduced by Senator Anderson

February 18, 2011

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

LEGISLATIVE COUNSEL'S DIGEST

SB 766, as introduced, Anderson. Public contracts: Department of General Services: approval.

Existing law, with specified exceptions, provides that all contracts entered into by any state agency for the hiring or purchase of goods and services, including equipment, supplies, textbooks, and repair or maintenance, are void unless approved by the Department of General Services.

This bill would make technical, nonsubstantive changes to those 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
- 9 services by the state agency for or in cooperation with any person,

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

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

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

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

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

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

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

26 (5) Any contract let by the Legislature.

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