

**SB75 ENGROSSED**



1 SB75  
2 YMXV422-2  
3 By Senator Chesteen  
4 RFD: Education Policy  
5 First Read: 13-Jan-26



## SB75 Engrossed

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

A BILL  
TO BE ENTITLED  
AN ACT

Relating to public works contracts; to amend Section 39-2-2, Code of Alabama 1975, as last amended by Act 2025-383, 2025 Regular Session, to provide an exception to the public works law for the purchase of certain materials and equipment made pursuant to a cooperative purchasing agreement; and to amend Sections 41-16-51, 16-13B-2, and 41-4-171, Code of Alabama 1975, to provide requirements for certain public contracts to be awarded in a manner that complies with the applicable state or local competitive bid laws.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 39-2-2, Code of Alabama 1975, as last amended by Act 2025-383, 2025 Regular Session, is amended to read as follows:

"§39-2-2

(a) (1) Before entering into any contract for a public works involving an amount in excess of one hundred thousand dollars (\$100,000), the awarding authority shall advertise for sealed bids, except as provided in subsection (k).

(2)a. If the awarding authority is the state, a county, or an instrumentality thereof, it shall advertise for sealed



## SB75 Engrossed

29 bids at least once each week for three consecutive weeks in a  
30 newspaper of general circulation in the county or counties in  
31 which the improvement, or some part thereof, is to be made.

32 b.1. If the awarding authority is a municipality, or an  
33 instrumentality thereof, it shall advertise for sealed bids at  
34 least once in a newspaper of general circulation published in  
35 the municipality where the awarding authority is located.

36 2. If no newspaper is published in the municipality,  
37 the awarding authority shall advertise by posting notice  
38 thereof on a bulletin board maintained outside the purchasing  
39 office and in any other manner and for the length of time as  
40 may be determined. In addition to bulletin board notice, the  
41 awarding authority shall also send the notice by U.S. mail or  
42 electronic mail to the Department of Finance for publication  
43 of the advertisement on the centralized website maintained by  
44 the department as further described in subsection (c).

45 (3) The advertisements shall briefly describe the  
46 improvement, state that plans and specifications for the  
47 improvement are on file for examination in a designated office  
48 of the awarding authority, state the procedure for obtaining  
49 plans and specifications, state the time and place in which  
50 bids shall be received and opened, and identify whether  
51 prequalification is required and where all written  
52 prequalification information is available for review.

53 (4) All bids shall be opened publicly at the advertised  
54 time and place.

55 (5) No public work involving a sum in excess of one  
56 hundred thousand dollars (\$100,000) shall be split into parts



## SB75 Engrossed

57 involving sums of one hundred thousand dollars (\$100,000) or  
58 less for the purpose of evading the requirements of this  
59 section.

60 (b) (1) An awarding authority may let contracts for  
61 public works involving one hundred thousand dollars (\$100,000)  
62 or less with or without advertising or sealed bids.

63 (2) Notwithstanding the advertising requirements of  
64 subdivision (a) (2), an awarding authority may enter into a  
65 contract for public works if: (i) the awarding authority  
66 submitted the advertisement for sealed bids for the contract  
67 in accordance with subdivision (a) (2); and (ii) the  
68 advertisement was published for at least three weeks, or if  
69 the awarding authority is a municipality or instrumentality  
70 thereof for at least seven consecutive calendar days, on a  
71 centralized website maintained by the Department of Finance as  
72 further described in subsection (c).

73 (3) If the awarding authority under subdivision (2) is  
74 the Department of Transportation, the Department of Finance  
75 may alternatively satisfy the requirements of subdivision  
76 (2) (ii) by publishing the advertisement on its publicly  
77 accessible website for at least three weeks.

78 (4) If the awarding authority under subdivision (2) is  
79 a county or instrumentality thereof, the county or  
80 instrumentality may alternatively satisfy the requirements of  
81 subdivision (2) (ii) by publishing the advertisement in  
82 accordance with the procedures submitted by the Association of  
83 County Engineers of Alabama and approved by the Department of  
84 Examiners of Public Accounts as authorized by general law.



## SB75 Engrossed

85           (c) The Department of Finance shall establish and  
86 maintain a centralized website or digital platform to provide  
87 publicly accessible notice of advertisements for sealed bids  
88 pursuant to this section. The department may further provide  
89 for the administration and operations related thereto by the  
90 adoption of administrative rules, including, but not limited  
91 to, the assessment of fees to awarding authorities for the  
92 posting of advertisements to cover the implementation and  
93 maintenance cost of the website or digital platform.

94           (d) All contracts for public works entered into in  
95 violation of this title shall be void and violative of public  
96 policy. Anyone who willfully violates this chapter concerning  
97 public works shall be guilty of a Class C felony.

98           (e) (1) Excluded from the operation of this title shall  
99 be contracts with persons who shall perform only  
100 architectural, engineering, construction management, program  
101 management, or project management services in support of the  
102 public works and who shall not engage in actual construction,  
103 repair, renovation, or maintenance of the public works with  
104 their own forces, by contract, subcontract, purchase order,  
105 lease, or otherwise.

106           (2)a. Excluded from operation of the bidding  
107 requirements in this title are contracts for the purchase of  
108 any heating or air conditioning units or systems by any  
109 awarding authority subject to Chapter 13B of Title 16, Article  
110 3, commencing with Section 41-16-50 of Chapter 16 of Title 41,  
111 or Article 5, commencing with Section 41-4-110 of Chapter 4 of  
112 Title 41, provided the contract is entered into with an



## SB75 Engrossed

113 Alabama vendor who has been granted approved vendor status for  
114 the sale of heating or air conditioning units or systems as a  
115 part of a purchasing cooperative, and each of the following  
116 occur:

117           1. The heating or air conditioning unit or system being  
118 purchased is available as a result of a competitive bid  
119 process conducted by a governmental entity ~~which has been that~~  
120 complies with the Alabama competitive bid law applicable to  
121 the awarding authority and is approved by the Department of  
122 Examiners of Public Accounts.

123           2. The purchase of the heating or air conditioning unit  
124 or system is not available on the state purchasing program at  
125 the time or the purchase under the purchasing cooperative is  
126 available at a price that is equal to or less than that  
127 available through the state purchasing program.

128           3. The entity entering into the contract for the  
129 purchase of the heating or air conditioning unit or system has  
130 been notified by the Department of Examiners of Public  
131 Accounts that the competitive bid process utilized by the  
132 cooperative program offering the goods complies with this  
133 subdivision.

134           4. Upon request, the vendor has provided the purchasing  
135 entity with a report of sales made under this subdivision  
136 during the previous 12-month period, to include a general  
137 description of the heating or air conditioning units and  
138 systems sold, the number of units sold per entity, and the  
139 purchase price of the units.

140           b. The exemption from the requirement to use sealed



## SB75 Engrossed

141 bids for the purchase of heating or air conditioning units or  
142 systems authorized by this section shall not serve to exempt  
143 any public works project from the remaining provisions of this  
144 chapter, including, but not limited to, design, installation,  
145 and review requirements, compliance with all applicable codes,  
146 laws, specifications, and standards, and the compensation of  
147 engineers, architects, or others as mandated by state law or  
148 rule.

149 (f) (1) In case of an emergency for which a delay in  
150 remedying would cause immediate harm to a person or public  
151 property, contracts may be let to the extent necessary to meet  
152 the emergency without public advertisement or bidding.

153 (2) In case of an emergency affecting public health,  
154 safety, or convenience, as declared in writing by the awarding  
155 authority, setting forth the nature of the danger to the  
156 public health, safety, or convenience which would result from  
157 delay, contracts may be let to the extent necessary to meet  
158 the emergency without public advertisement.

159 (3) Any action taken under subdivision (1) or (2), and  
160 the reasons for the action taken, shall immediately be made  
161 public by the awarding authority and published in writing.

162 (g) No awarding authority may specify in the plans and  
163 specifications for the improvement the use of materials,  
164 products, systems, or services by a sole source unless all of  
165 the following requirements are met:

166 (1) Except for contracts involving the construction,  
167 reconstruction, renovation, or replacement of public roads,  
168 bridges, and water and sewer facilities, the awarding



## SB75 Engrossed

169 authority can document to the satisfaction of the Division of  
170 Real Property Management of the Department of Finance, or in  
171 the case of an educational institution or state educational  
172 institution as provided pursuant to Sections 41-4-353 and  
173 41-4-400, to the satisfaction of its governing board, that the  
174 sole source product, material, system, or service is of an  
175 indispensable nature for the improvement, that there are no  
176 other viable alternatives, and that only this particular  
177 product, material, system, or service fulfills the function  
178 for which it is needed.

179 (2) The sole source specification has been recommended  
180 by the architect or engineer of record as an indispensable  
181 item for which there is no other viable alternative.

182 (3) All information substantiating the use of a sole  
183 source specification, including the recommendation of the  
184 architect or engineer of record, shall be documented and made  
185 available for examination in the office of the awarding  
186 authority at the time of advertisement for sealed bids.

187 (h) If a proposed public works project is acknowledged  
188 in writing by the Alabama Homeland Security Department as: (i)  
189 having a direct impact on the security or safety of persons or  
190 facilities; and (ii) requiring confidential handling for the  
191 protection of such persons or facilities, contracts may be let  
192 without public advertisement but with the taking of informal  
193 bids otherwise consistent with the requirements of this title  
194 and the requirements of maintaining confidentiality. Records  
195 of bidding and award shall not be disclosed to the public and  
196 shall remain confidential.



## SB75 Engrossed

197 (i) If a pre-bid meeting is held, the pre-bid meeting  
198 shall be held at least seven days prior to the bid opening  
199 except when the project has been declared an emergency in  
200 accordance with subsection (f).

201 (j) The awarding authority may not offer a contract for  
202 bidding unless confirmation of any applicable grant has been  
203 received and any required matching funds have been secured by  
204 or are available to the awarding authority.

205 (k) Notwithstanding subsection (a), the Department of  
206 Transportation may enter into contracts for road construction  
207 or road maintenance projects that do not involve more than two  
208 hundred fifty thousand dollars (\$250,000) without advertising  
209 for sealed bids, provided the project is listed on the  
210 publicly accessible website of the department for at least  
211 seven calendar days before entering into the contract. The  
212 total cost of all projects not subject to advertising and  
213 sealed bids pursuant to this subsection may not exceed one  
214 million dollars (\$1,000,000) in the aggregate per year.

215 (l) For the purposes of this chapter, sealed bids may  
216 also be solicited and submitted through electronic means  
217 including, but not limited to, electrical, digital, magnetic,  
218 optical, electromagnetic, or any other similar technology,  
219 provided that the awarding authority adopts rules and policies  
220 to ensure that all electronic submissions are transmitted  
221 securely and bids ~~remained~~remain sealed until bid opening.

222 (m) (1) Notwithstanding any other provision of law, any  
223 entity subject to this chapter ~~that~~which is an awarding  
224 authority of a contract for public works, by resolution or



## SB75 Engrossed

225 board action, may purchase materials or equipment pursuant to  
226 a cooperative purchasing agreement under Division 7 of Article  
227 5 of Chapter 4 of Title 41, or pursuant to the requirements of  
228 Section 41-16-51(a) (14), (16), (17), (18), or (19), as  
229 applicable, even when those materials or equipment are  
230 otherwise part of the contract for public works subject to the  
231 requirements of this title. The materials or equipment being  
232 purchased pursuant to this section shall have been awarded  
233 through a competitive bid process that complies with the  
234 Alabama competitive bid law applicable to that awarding  
235 authority.

236 (2) Except for those materials or equipment described  
237 in subdivision (1), the remaining portion of the public works  
238 project shall be subject to the requirements of this title,  
239 even if the remaining portion would involve an amount less  
240 than one hundred thousand dollars (\$100,000) as a result of  
241 the exclusion of the purchase of the materials or equipment as  
242 described in subdivision (1)."

243 Section 2. Section 41-16-51, Code of Alabama 1975, is  
244 amended to read as follows:

245 "§41-16-51

246 (a) Competitive bids for entities subject to this  
247 article shall not be required for utility services, the rates  
248 for which are fixed by law, regulation, or ordinance, and the  
249 competitive bidding requirements of this article shall not  
250 apply to any of the following:

251 (1) The purchase of insurance.

252 (2) The purchase of ballots and supplies for conducting



## SB75 Engrossed

253 any primary, general, special, or municipal election.

254 (3) Contracts for securing services of attorneys,  
255 physicians, architects, teachers, superintendents of  
256 construction, artists, appraisers, engineers, consultants,  
257 certified public accountants, public accountants, or other  
258 individuals possessing a high degree of professional skill  
259 where the personality of the individual plays a decisive part.

260 (4) Contracts of employment in the regular civil  
261 service.

262 (5) Contracts for fiscal or financial advice or  
263 services.

264 (6) Purchases of products made or manufactured by blind  
265 or visually impaired individuals under the direction or  
266 supervision of the Alabama Institute for Deaf and Blind in  
267 accordance with Chapter 2 of Title 21.

268 (7) Purchases of maps or photographs from any federal  
269 agency.

270 (8) Purchases of computer programs, software  
271 applications, manuscripts, books, maps, pamphlets,  
272 periodicals, and library or research electronic databases of  
273 manuscripts, books, maps, pamphlets, or periodicals.

274 (9) The selection of paying agents and trustees for any  
275 security issued by a public body.

276 (10) Existing contracts up for renewal for sanitation  
277 or solid waste collection, recycling, and disposal between  
278 municipalities or counties, or both, and those providing the  
279 service.

280 (11) Purchases of computer and word processing hardware



## SB75 Engrossed

281 when the hardware is the only type that is compatible with  
282 hardware already owned by the entity taking bids and custom  
283 software.

284 (12) Professional services contracts for codification  
285 and publication of the laws and ordinances of municipalities  
286 and counties.

287 (13) Contractual services and purchases of commodities  
288 for which there is only one vendor or supplier and contractual  
289 services and purchases of personal property which by their  
290 very nature are impossible to award by competitive bidding.

291 (14) Purchases of dirt, sand, or gravel by a county  
292 governing body from in-county property owners in order to  
293 supply a county project in which the materials will be used.  
294 The material shall be delivered to the project site by county  
295 employees and equipment used only on project components  
296 conducted exclusively by county employees.

297 (15) Contractual services and purchases of products  
298 related to, or having an impact upon, security plans,  
299 procedures, assessments, measures, or systems, or the security  
300 or safety of individuals, structures, facilities, or  
301 infrastructures.

302 (16) Subject to the limitations in this subdivision,  
303 purchases, leases, or lease/purchases of goods or services,  
304 other than voice or data wireless communication services, made  
305 as a part of the purchasing cooperative sponsored by the  
306 National Association of Counties, its successor organization,  
307 or any other national or regional governmental cooperative  
308 purchasing program. The purchases, leases, or lease/purchases



## SB75 Engrossed

309 may only be made if all of the following occur:

310 a. The goods or services being purchased, including  
311 those purchased through a lease/purchase agreement, or leased  
312 are available as a result of a competitive bid process  
313 conducted by a governmental entity whose award complies with  
314 Section 41-16-50(a) and is approved by the Department of  
315 Examiners of Public Accounts for each bid.

316 b. The goods or services are either not at the time  
317 available to counties on the state purchasing program or are  
318 available at a price equal to or less than that on the state  
319 purchasing program.

320 c. The purchase, lease, or lease/purchase is made  
321 through a participating Alabama vendor holding an Alabama  
322 business license if such a vendor exists.

323 d. The entity purchasing, leasing, or lease/purchasing  
324 goods or services under this subdivision has been notified by  
325 the Department of Examiners of Public Accounts that the  
326 competitive bid process utilized by the cooperative program  
327 offering the goods complies with this subdivision. In  
328 addition, upon request, a vendor shall provide the entity  
329 purchasing, leasing, or lease/purchasing goods or services  
330 equaling thirty thousand dollars (\$30,000) or more which are  
331 made under this subdivision during the previous 12 months a  
332 report of the sales, leases, and lease/purchases. The report  
333 shall include a general description of the goods or services;  
334 the number of units sold, leased, and leased/purchased per  
335 entity; and the price of units purchased, leased, or  
336 leased/purchased.



## SB75 Engrossed

337           (17) Purchases of goods or services, other than  
338 wireless communication services, whether voice or data, from  
339 vendors that have been awarded a current and valid Government  
340 Services Administration contract. Any purchase made pursuant  
341 to this subdivision shall be under the same terms and  
342 conditions as provided in the Government Services  
343 Administration contract. Prices paid for the goods and  
344 services, other than wireless communication services, whether  
345 voice or data, may not exceed the amount provided in the  
346 Government Services Administration contract.

347           (18) Purchases of goods or services from vendors that  
348 have been awarded a current and valid statewide contract  
349 listed on the Alabama Buys e-procurement system. Any purchase  
350 made pursuant to this subdivision shall be under the same  
351 terms and conditions as provided in the statewide contract.  
352 Prices paid for the goods and services may not exceed the  
353 amount provided in the statewide contract.

354           (19) Purchases of goods or services between  
355 governmental entities of the state, as authorized by Section  
356 11-1-10.

357           (20) Purchases of goods or services between a  
358 municipality and a governmental entity, as defined in Section  
359 8-38-2.

360           (b) This article shall not apply to:

361           (1) Any purchases of products where the price of the  
362 products is already regulated and established by state law.

363           (2) Purchases made by individual schools of the county  
364 or municipal public school systems from monies other than



## SB75 Engrossed

365 those raised by taxation or received through appropriations  
366 from state or county sources.

367 (3) The purchase, lease, sale, construction,  
368 installation, acquisition, improvement, enlargement, or  
369 expansion of any building or structure or other facility  
370 designed or intended for lease or sale by a medical clinic  
371 board organized under Chapter 58 of Title 11.

372 (4) The purchase, lease, or other acquisition of  
373 machinery, equipment, supplies, and other personal property or  
374 services by a medical clinic board organized under Chapter 58  
375 of Title 11.

376 (5) Purchases for public hospitals and nursing homes  
377 operated by the governing boards of instrumentalities of the  
378 state, counties, and municipalities.

379 (6) Contracts for the purchase, lease, sale,  
380 construction, installation, acquisition, improvement,  
381 enlargement, or extension of any plant, building, structure,  
382 or other facility or any machinery, equipment, furniture, or  
383 furnishings therefor designed or intended for lease or sale  
384 for industrial development, other than public utilities, under  
385 Division 1 of Article 4 of Chapter 54 of Title 11, or Article  
386 2 of Chapter 54 of Title 11, or any other law or amendment to  
387 the Constitution of Alabama of 2022, authorizing the  
388 construction of plants or other facilities for industrial  
389 development or for the construction and equipment of buildings  
390 for public building authorities under Chapter 15 of Title 11  
391 or Chapter 56 of Title 11.

392 (7) The purchase of equipment, supplies, or materials



## SB75 Engrossed

393 needed, used, and consumed in the normal and routine operation  
394 of any waterworks system, sanitary sewer system, gas system,  
395 or electric system, or any two or more thereof, that are owned  
396 by municipalities, counties, or public corporations, boards,  
397 or authorities that are agencies, departments, or  
398 instrumentalities of municipalities or counties and no part of  
399 the operating expenses of which system or systems, during the  
400 then current fiscal year, have been paid from revenues derived  
401 from taxes or from appropriations of the state, a county, or a  
402 municipality.

403 (8) Purchases made by local housing authorities,  
404 organized and existing under Chapter 1 of Title 24, from  
405 monies other than those raised by state, county, or city  
406 taxation or received through appropriations from state,  
407 county, or city sources.

408 (9) The purchase of services to aid in the prevention  
409 and detection of criminal activity by law enforcement agencies  
410 and community-oriented policing programs.

411 ~~(c) The state trade schools, state junior colleges,~~  
412 ~~state colleges, and universities under the supervision and~~  
413 ~~control of the State Board of Education, the district boards~~  
414 ~~of education of independent school districts~~ two-year and  
415 four-year institutions of higher education, the county  
416 commissions, and the governing bodies of the municipalities of  
417 the state shall establish and maintain purchasing facilities  
418 and procedures as may be necessary to carry out the intent and  
419 purpose of this article by complying with the requirements for  
420 competitive bidding in the operation and management of each



## SB75 Engrossed

421 ~~state trade school, state junior college, state college, or~~  
422 ~~university under the supervision and control of the State~~  
423 ~~Board of Education, the district boards of education of~~  
424 ~~independent school districts~~ two-year and four-year  
425 institution of higher education, the county commissions, and  
426 the governing bodies of the municipalities of the state and  
427 the governing boards of instrumentalities of counties and  
428 municipalities, including waterworks boards, sewer boards, gas  
429 boards, and other like utility boards and commissions.

430 (d) Contracts entered into in violation of this article  
431 shall be void and any individual who violates this article  
432 shall be guilty of a Class C felony."

433 Section 3. Section 16-13B-2, Code of Alabama 1975, is  
434 amended to read as follows:

435 "§16-13B-2

436 (a) Competitive bids shall not be required for utility  
437 services for county or city boards of education, the rates for  
438 which are fixed by law, regulation, or ordinance, and the  
439 competitive bidding requirements of this chapter shall not  
440 apply to:

441 (1) The purchase of insurance.

442 (2) Contracts for securing services of attorneys,  
443 physicians, architects, teachers, superintendents of  
444 construction, artists, appraisers, engineers, consultants,  
445 certified public accountants, public accountants, or other  
446 individuals possessing a high degree of professional skill  
447 where the personality of the individual plays a decisive part.

448 (3) Contracts of employment in the regular civil



## SB75 Engrossed

449 service.

450 (4) Contracts for fiscal or financial advice or  
451 services.

452 (5) Purchases of products made or manufactured by blind  
453 or visually impaired individuals under the direction or  
454 supervision of the Alabama Institute for Deaf and Blind in  
455 accordance with Sections 21-2-1 to 21-2-4, inclusive.

456 (6) Purchases of maps or photographs from any federal  
457 agency.

458 (7) Purchases of manuscripts, books, instructional  
459 materials, maps, pamphlets, or periodicals, or the electronic  
460 version thereof. The exemption for the purchase of  
461 instructional materials shall only include those purchases  
462 from a current vetted and approved list published by the State  
463 Department of Education.

464 (8) The selection of paying agents and trustees for any  
465 security issued by a public body.

466 (9) Existing contracts up for renewal for sanitation or  
467 solid waste collection, recycling, or disposal and those  
468 providing the service.

469 (10) Purchases of computer and word processing hardware  
470 when the hardware is the only type that is compatible with  
471 hardware already owned by the entity taking bids and custom  
472 software.

473 (11) Contractual services and purchases of commodities  
474 for which there is only one vendor or supplier and contractual  
475 services and purchases of personal property which by their  
476 very nature are impossible to award by competitive bidding.



## SB75 Engrossed

477 (12) Contractual services and purchases of products  
478 related to, or having an impact upon, security plans,  
479 procedures, assessments, measures, or systems, or the security  
480 or safety of persons, structures, facilities, or  
481 infrastructures.

482 (13) Purchases, leases, or lease/purchases of goods or  
483 services, other than voice or data wireless communication  
484 services, made as a part of any purchasing cooperative  
485 sponsored by the National Association of Counties, its  
486 successor organization, or any other national or regional  
487 governmental cooperative purchasing program. The purchases,  
488 leases, or lease/purchases may only be made if all of the  
489 following occur:

490 a. The goods or services being purchased, including  
491 those purchased through a lease/purchase agreement, or leased  
492 are available as a result of a competitive bid process  
493 conducted by a governmental entity whose award complies with  
494 Section 16-13B-1(a) and is approved by the Department of  
495 Examiners of Public Accounts for each bid.

496 b. The goods or services are either not at the time  
497 available to local boards of education on the state purchasing  
498 program or are available at a price equal to or less than that  
499 on the state purchasing program.

500 c. The purchase, lease, or lease/purchase is made  
501 through a participating Alabama vendor holding an Alabama  
502 business license if such a vendor exists.

503 (14) Purchases of unprocessed agricultural products as  
504 defined in subsection (b) of Section 16-1-46 and the cost of



## SB75 Engrossed

505 the food purchased is equal to or less than the federal  
506 simplified acquisition threshold set in 2 C.F.R. § 200.88.

507 (15) Purchase of goods or services, other than voice or  
508 data wireless communication services, from vendors that have  
509 been awarded a current and valid general services  
510 administration contract. Prices paid for the goods or services  
511 may not exceed the lowest competitively bid price for these  
512 goods or services, other than voice or data wireless  
513 communication services, and may not exceed the price on an  
514 existing state purchasing program.

515 (b) This chapter shall not apply to:

516 (1) Any purchases of products where the price of the  
517 products is already regulated and established by state law.

518 (2) Purchases made by individual schools of the county  
519 or municipal public school systems from monies other than  
520 those raised by taxation or received through appropriations  
521 from state or county sources.

522 (c) The city and county boards of education shall  
523 establish and maintain the purchasing facilities and  
524 procedures as may be necessary to carry out the intent and  
525 purpose of this chapter by complying with the requirements for  
526 competitive bidding in the operation and management of each  
527 city and county board of education.

528 (d) Contracts entered into in violation of this chapter  
529 shall be void, and any person who violates this chapter shall  
530 be guilty of a Class C felony."

531 Section 4. Section 41-4-171, Code of Alabama 1975, is  
532 amended to read as follows:



## SB75 Engrossed

533 "§41-4-171

534 (a) A public procurement unit that is governed by this  
535 article may either participate in, sponsor, conduct, or  
536 administer a cooperative purchasing agreement for the  
537 procurement of any supplies or services with one or more  
538 public procurement units in accordance with an agreement  
539 entered into between the participants. The cooperative  
540 purchasing agreement may include joint or multi-party  
541 contracts between public procurement units and open-ended  
542 public procurement unit contracts that are made available to  
543 other public procurement units.

544 (b) All cooperative purchasing conducted under this  
545 division shall be through contracts awarded using source  
546 selection methods ~~substantially equivalent to those specified~~  
547 in Division 3."

548 Section 5. This act shall become effective on October  
549 1, 2026.



**SB75 Engrossed**

550  
551  
552 Senate

553 Read for the first time and referred .....13-Jan-26  
554 to the Senate committee on Education  
555 Policy  
556  
557 Read for the second time and placed .....05-Feb-26  
558 on the calendar:  
559 1 amendment  
560  
561 Read for the third time and passed .....17-Mar-26  
562 as amended  
563 Yeas 31  
564 Nays 0  
565 Abstains 0  
566  
567

Patrick Harris,  
Secretary.

568  
569  
570