



April 27, 2024

Private Acts of 1983 Chapter 90

Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

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Private Acts of 1983 Chapter 90

COMPILER'S NOTE: For additional purchasing provisions, see Private Acts of 1941, Chapter 156, Section 18, reproduced earlier in this Chapter I.

SECTION 1. There is hereby established the "Hamilton County Purchasing Law", which shall be set forth below:

SECTION 2. Except as provided in SECTION 4., all purchases by and for the county or any of its agencies or departments shall be by public advertisement and competitive bid, except as follows:

(1) Purchases costing less than two thousand five hundred dollars (\$2,500); provided, however, that this exemption shall not apply to purchases of like items which individually cost less than two thousand five hundred dollars (\$2,500), but which are customarily purchased in lots of two (2) or more, if the total purchase price of each item would exceed two thousand five hundred dollars (\$2,500) during any fiscal year;

(2) Repair of heavy machinery for which limited repair facilities are available;

(3) Purchases or leases of any supplies, materials, or equipment for immediate delivery in actual emergencies arising from unforeseen causes, including delays by contractors, delays in transportation, and unanticipated volume of work; provided, however, that such emergencies shall not include conditions arising from neglect or indifference in anticipating normal needs. A record of any such emergency purchase shall be made by the person or body authorizing such emergency purchase, and shall specify the amount paid, the items purchased, from whom the purchase was made, and the nature of the emergency. A report of any emergency purchase shall be made as soon as possible to the governing body and the county executive of the county, and shall include all items of information as required in the record.

SECTION 3. (1) Except as provided in this section, all lease-purchase arrangements requiring payments of two thousand five hundred dollars (\$2,500) or more, shall be entered into only after public advertisement and competitive bidding.

(2) Hamilton County may enter into lease arrangements to the extent otherwise authorized and permitted by law for the agencies and departments of State government.

SECTION 4. (1) All purchases of less than two thousand five hundred dollars (\$2,500) in amount may be made in the open market without newspaper notice, but shall wherever possible be based upon at least three (3) competitive bids.

(2) Perishable commodities, fuel and fuel products may be likewise purchased in the open market, regardless of amount, subject to such restrictions as the county legislative body may apply.

SECTION 5. The county legislative body is specifically authorized to adopt policies and procedures for the disposition of all county-owned property.

As amended by: Private Acts of 1985, Chapter 92

SECTION 6. The county legislative body is specifically authorized to develop such rules, regulations, and procedures as they deem necessary to fully implement this Act.

SECTION 7. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body in Hamilton County before July 1, 1983. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by him to the Secretary of State.

SECTION 8. For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in SECTION 6.

Passed: April 14, 1983.

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