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## FISCAL IMPACT REPORT

SPONSOR: Williams DATE TYPED: 02/21/03 HB 768

SHORT TITLE: Exemptions from the Procurement Code SB \_\_\_\_\_

ANALYST: Geisler

### APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY03	FY04	FY03	FY04		
			NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

### SOURCES OF INFORMATION

General Services Department (GSD)

### SUMMARY

#### Synopsis of Bill

House Bill 768 exempts from the Procurement Code contracts or leases between a local public body and others for operating or maintain a hospital.

#### Significant Issues

GSD report this new material is identical to current law. Laws 2001, Chapter 291, Section 8 was signed into law, but was not the last bill signed. It is included in the compiler's notes, but was not in the provision included in the NMSA compilation. This bill clarifies that Chapter 291 is law.

### OTHER SUBSTANTIVE ISSUES

As noted in the 2001 bill analysis, the Procurement Code applies to tangible personal property, not the lease of real property, so the section relating to Section 13-1-98 NMSA 1978 is unnecessary. Purchase of goods or services associated with a jointly operated common health care facility are exempt if the state purchasing agent or a central purchasing office determines it will reduce health care costs, improve quality of care or improve access to care. The local government involved would have to issue a written determination outlining how the services to be exempt from the code qualify under Section 13-1-98.1 NMSA 1978.

GG/njw:pr