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SENATE BILL 350

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Ben D. Altamirano

AN ACT

RELATING TO PROCUREMENT; RAISING THE THRESHOLD FOR SMALL
PURCHASES IN THE PROCUREMENT CODE; AMENDING A SECTION OF THE
NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 13-1-125 NMSA 1978 (being Laws 1984,
Chapter 65, Section 98, as amended) is amended to read:

"13-1-125. SMALL PURCHASES. --

A. A central purchasing office shall procure
services, construction or items of tangible personal property
having a value not exceeding [~~ten thousand dollars (\$10,000)~~]
twenty-five thousand dollars (\$25,000) in accordance with the
applicable small purchase regulations adopted by the secretary,
a local public body or a central purchasing office that has the
authority to issue regulations.

underscored material = new
[bracketed material] = delete

1 B. Notwithstanding the requirements of Subsection A
2 of this section, a central purchasing office may procure
3 professional services having a value not exceeding [~~twenty~~
4 ~~thousand dollars (\$20,000)~~] fifty thousand dollars (\$50,000),
5 excluding applicable state and local gross receipts taxes,
6 except for the services of architects, landscape architects,
7 engineers or surveyors for state public works projects or local
8 public works projects, in accordance with professional services
9 procurement regulations promulgated by the department of
10 finance and administration, the general services department or
11 a central purchasing office with the authority to issue
12 regulations.

13 C. Notwithstanding the requirements of Subsection A
14 of this section, a state agency or a local public body may
15 procure services, construction or items of tangible personal
16 property having a value not exceeding [~~one thousand five~~
17 ~~hundred dollars (\$1,500)~~] ten thousand dollars (\$10,000) by
18 issuing a direct purchase order to a contractor based upon the
19 best obtainable price.

20 D. Procurement requirements shall not be
21 artificially divided so as to constitute a small purchase under
22 this section. "