

**As Amended by House Committee**

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*Session of 2011*

**SENATE BILL No. 40**

By Senator Reitz

1-21

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1 AN ACT concerning counties; relating to bidding requirements on certain  
2 contracts; amending K.S.A. 2010 Supp. 19-214 and repealing the existing  
3 section.

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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2010 Supp. 19-214 is hereby amended to read as  
7 follows: 19-214. (a) Except as provided in subsection (b), in K.S.A. 19-  
8 216a, and amendments thereto, all contracts for the expenditure of county  
9 moneys for the construction of any courthouse, jail or other county  
10 building, or the construction of any bridge, highway, road, dam, turnpike  
11 or related structures or stand-alone parking lots in excess of \$25,000, shall  
12 be awarded, on a public letting, to the lowest and best bid. The person,  
13 firm or corporation to whom the contract may be awarded shall give and  
14 file with the board of county commissioners a good and sufficient surety  
15 bond by a surety company authorized to do business in the state of Kansas,  
16 to be approved by the county attorney or county counselor, in the amount  
17 of the contract, and conditioned for the faithful performance of the  
18 contract.

19 (b) The provisions of subsection (a) shall not apply: (1) To the  
20 expenditure of county funds for professional services; (2) to the provisions  
21 of K.S.A. 68-521, and amendments thereto; ~~or~~ (3) to the purchase of  
22 contracts of insurance; *or (4) to the repair of any courthouse, jail or*  
23 *other county building or the repair or replacement of any such building's*  
24 *equipment when an emergency based upon public health, or safety and*  
25 ~~welfare~~ *is declared by the board of county commissioners. Such*  
26 *emergency shall be defined as an occurrence of severe damage to a*  
27 *building or its equipment resulting from any natural or manmade cause,*  
28 *including fire, flood, earthquake, wind, storm, explosion, riot, terrorism or*  
29 *hostile military or paramilitary action, or events of similar nature or*  
30 *character. Such damage must be so severe it prevents the building or*  
31 *equipment from being used for its intended function. **Construction of a***  
32 **replacement building remains subject to the provisions of subsection**  
33 **(a).**

34 Sec. 2. K.S.A. 2010 Supp. 19-214 is hereby repealed.

35 Sec. 3. This act shall take effect and be in force from and after its

1 publication in the statute book.  
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