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# A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Act 82, Session Laws of Hawaii 2010, is amended  
2 by amending section 8 to read as follows:

3 "SECTION 8. This Act shall take effect on July 1, 2010;  
4 provided that on July 1, [~~2012~~] 2015, this Act shall be  
5 repealed and sections 103D-102(c) and 304A-105(b), Hawaii  
6 Revised Statutes, shall be reenacted in the form in which they  
7 read on the day prior to the effective date of this Act."

8 SECTION 2. Section 103D-102, Hawaii Revised Statutes, is  
9 amended by amending subsection (c) to read as follows:

10 "(c) Notwithstanding subsection (a), this chapter shall  
11 not apply to contracts made by:

12 (1) Any regional system board of the Hawaii health systems  
13 corporation;

14 (2) The Kaho'olawe island reserve commission, except as  
15 provided by section 6K-4.5; or

16 [~~+~~] (3) [~~+~~] Except with respect to sections 103D-110 [~~-~~] and 103D-  
17 304 with respect to design professional services

18 furnished by licensees under chapter 464, 103D-324,



1 103D-707, and 103D-1002, the university or the board  
2 of regents of the university."

3 SECTION 3. Section 304A-105, Hawaii Revised Statutes, is  
4 amended by amending subsection (b) to read as follows:

5 "(b) The board of regents shall develop internal policies  
6 and procedures for the procurement of goods, services, and  
7 construction, consistent with the goals of public accountability  
8 and public procurement practices, which shall be subject to  
9 sections 103D-110[7] and 103D-304 with respect to design  
10 professional services furnished by licensees under chapter 464,  
11 103D-324, 103D-707, 103D-1002, 304A-2690, 304A-2691, 304A-2692,  
12 and 304A-2693. Except as provided in this subsection, chapter  
13 103D shall not apply to any actions or activities undertaken,  
14 conducted, or performed under authority of the board of regents  
15 or the university; provided that the board of regents and the  
16 university are encouraged to use the provisions of chapter 103D  
17 as guidelines; and provided further that in using one or more  
18 provisions of chapter 103D as guidelines, neither the board of  
19 regents nor the university shall be:

- 20 (1) Deemed to have waived in any way the exemption from
- 21 the requirements and applicability of chapter 103D
- 22 granted in this subsection; or

1           (2) Subject to any of the provisions or requirements of  
2           chapter 103D other than those provided for in this  
3           subsection."

4           SECTION 4. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6           SECTION 5. This Act shall take effect upon approval.

7



**Report Title:**

University of Hawaii; Procurement

**Description:**

Extends the exemption granted to the University of Hawaii from certain provisions of the Hawaii public procurement code with respect to certain designed professional services. (Proposed SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

