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

3 "(c) Notwithstanding subsection (a), this chapter shall
4 not apply to contracts made by any regional system board of the
5 Hawaii health systems corporation[~~-~~], or, except with respect to
6 part X, the University of Hawaii or the board of regents of the
7 University of Hawaii."

8 SECTION 2. Section 304A-105, Hawaii Revised Statutes, is
9 amended by amending subsection (b) to read as follows:

10 "(b) The board of regents shall develop internal policies
11 and procedures for the procurement of goods, services, and
12 construction, consistent with the goals of public accountability
13 and public procurement practices, which shall be subject to part
14 X of chapter 103D[~~-~~], section 103D-304, and chapter 104. Except
15 as provided in this subsection, chapter 103D shall not apply to
16 any actions or activities undertaken, conducted, or performed
17 under authority of the board of regents or the university;
18 provided that the board of regents is encouraged to use the



1 provisions of chapter 103D as guidelines; provided further that
2 in using one or more provisions of chapter 103D as guidelines,
3 neither the board of regents nor the university shall be:

4 (1) Deemed to have waived in any way the exemption from
5 the requirements and applicability of chapter 103D
6 granted in this subsection; or

7 (2) Subject to any of the provisions or requirements of
8 chapter 103D other than those found in part X and
9 section 103D-304."

10 SECTION 3. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun, before its effective date.

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 Statutory material to be repealed is bracketed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

15 SECTION 5. This Act shall take effect upon its approval;
16 provided that this Act shall be repealed on July 1, 2012, and
17 sections 103D-102 and 304A-105, Hawaii Revised Statutes, shall
18 be reenacted in the forms in which they read prior to the
19 effective date of this Act.



Report Title:

University of Hawaii; Procurement; Exemption

Description:

Exempts UH and the UH Board of Regents from the requirements of the Hawaii Public Procurement Code, with certain exceptions.

(HB347 HD2)

