

## **IC 5-22 Version a**

### **ARTICLE 22. PUBLIC PURCHASING**

*Note: This version of IC 5-22 added by P.L.49-1997, SEC.1. A different version of IC 5-22, as added by P.L.19-1997, SEC.7, was repealed by P.L.253-1997(ss), SEC.39, and re-enacted at IC 5-24 by P.L.253-1997(ss), SEC.40.*

## **IC 5-22-1**

Chapter 1. Application

### **IC 5-22-1-0.1**

#### **Application of certain amendments to chapter**

Sec. 0.1. The amendments made to section 3 of this chapter by P.L.222-2005 apply only to a contract entered into or renewed after May 11, 2005.

*As added by P.L.220-2011, SEC.100.*

### **IC 5-22-1-1**

#### **Applicability of article**

Sec. 1. Except as provided in this chapter, this article applies to every expenditure of public funds by a governmental body.

*As added by P.L.49-1997, SEC.1.*

### **IC 5-22-1-2**

#### **Nonapplicability of article**

Sec. 2. Except as provided in this article, this article does not apply to the following:

- (1) The commission for higher education.
- (2) A state educational institution. However, IC 5-22-5-9 and IC 5-22-15 apply to a state educational institution.
- (3) Military officers and military and armory boards of the state.
- (4) An entity established by the general assembly as a body corporate and politic. However, IC 5-22-15 applies to a body corporate and politic.
- (5) A local hospital authority under IC 5-1-4.
- (6) A municipally owned utility under IC 8-1-11.1 or IC 8-1.5.
- (7) Hospitals established and operated under IC 16-22-1 through IC 16-22-5, IC 16-22-8, IC 16-23-1, or IC 16-24-1.
- (8) A library board under IC 36-12-3-16(b).
- (9) A local housing authority under IC 36-7-18.
- (10) Tax exempt Indiana nonprofit corporations leasing and operating a city market owned by a political subdivision.
- (11) A person paying for a purchase or lease with funds other than public funds.
- (12) A person that has entered into an agreement with a governmental body under IC 5-23.
- (13) A municipality for the operation of municipal facilities used for the collection, treatment, purification, and disposal in a sanitary manner of liquid and solid waste, sewage, night soil, and industrial waste.

(14) The department of financial institutions established by IC 28-11-1-1.

(15) The insurance commissioner in retaining an examiner for purposes of IC 27-1-3.1-9.

*As added by P.L.49-1997, SEC.1. Amended by P.L.1-2005, SEC.82; P.L.184-2005, SEC.2; P.L.19-2007, SEC.1; P.L.213-2007, SEC.3; P.L.217-2007, SEC.3; P.L.11-2011, SEC.2.*

### **IC 5-22-1-3**

#### **Excluded items; exceptions**

Sec. 3. (a) Except as provided in subsection (b), this article does not apply to the following types of activities:

- (1) A contract between governmental bodies except for a contract authorized under this article.
- (2) A public works project.
- (3) A collective bargaining agreement between a governmental body and its employees.
- (4) The employment relationship between a governmental body and an employee of the governmental body.
- (5) An investment of public funds.
- (6) A contract between a governmental body and a body corporate and politic.
- (7) A contract for social services.
- (8) A contract with a body corporate and politic.

(b) IC 5-22-3-7 applies to any:

- (1) contract;
- (2) project;
- (3) agreement;
- (4) employment relationship; or
- (5) investment;

described in subsection (a).

*As added by P.L.49-1997, SEC.1. Amended by P.L.165-2005, SEC.1 and P.L.222-2005, SEC.24.*