### THE SENATE TWENTY-FIFTH LEGISLATURE, 2010 STATE OF HAWAII

S.B. NO. 2359

JAN 2 2 2010

# A BILL FOR AN ACT

RELATING TO PROCUREMENT.

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

| 1  | SECTION 1. Chapter 103D, Hawaii Revised Statutes, is            |  |  |
|----|---|--|--|
| 2  | amended by adding a new section in part IV to be appropriately  |  |  |
| 3  | designated and to read as follows:                              |  |  |
| 4  | " <u>§103D-</u> Single-serving bottled water; prohibition on    |  |  |
| 5  | using state funds to purchase. (a) Notwithstanding sections     |  |  |
| 6  | 103D-102(b)(3),(b)(4)(H), and (b)(4)(L) and 103D-305, no state  |  |  |
| 7  | agency shall use state funds for the purchase of single-serving |  |  |
| 8  | bottled water, subject to the exceptions in subsection (b).     |  |  |
| 9  | (b) The following circumstances shall constitute                |  |  |
| 10 | exceptions to subsection (a):                                   |  |  |
| 11 | (1) Public safety emergencies, investigations, and              |  |  |
| 12 | extended deployments or activations of the office of            |  |  |
| 13 | hazard evaluation and emergency response or the                 |  |  |
| 14 | department of defense;  |  |  |
| 15 | (2) High risk of cross-contamination with non-potable or        |  |  |
| 16 | contaminated water; or  |  |  |



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| 1  | (3) Situa  | tions where there are no reasonable alternatives  |  |
|----|--|---|--|
| 2  | to be  | ttled water, such as large public events and when |  |
| 3  | large  | quantities of water may need to be distributed    |  |
| 4  | for h  | ealth and safety reasons.                         |  |
| 5  | (c) For p  | urposes of this section:                          |  |
| 6  | "State agency" means a state agency, office, or department.    |   |  |
| 7  | "State funds" means any money deposited into or drawn from     |   |  |
| 8  | the state treasury or any special or trust fund of the State.  |   |  |
| 9  | "State funds" includes any money appropriated by the State and |   |  |
| 10 | transferred to any state agency that is used by the state      |   |  |
| 11 | agency, in whole or in part, to purchase goods or services."   |   |  |
| 12 | SECTION 2. New statutory material is underscored.              |   |  |
| 13 | SECTION 3. This Act shall take effect upon its approval.       |   |  |
| 14 |  | nd G LO   |  |

INTRODUCED BY:

Clarence k Dishiha

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# Report Title:

Procurement; Single-Serving Bottled Water

## Description:

Prohibits the expenditure of state funds by state agencies for the purchase of single-serving bottled water.

