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# A BILL FOR AN ACT

RELATING TO DEPARTMENT OF EDUCATION PROCUREMENT.

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

1           SECTION 1. The legislature finds that Act 134, Session  
2 Laws of Hawaii 2025, provides a temporary adjustment, until its  
3 June 30, 2028, sunset date, to the department of education's  
4 small purchase procurement capacity by exempting purchases of  
5 local edible produce and packaged food products of less than  
6 \$250,000 from the electronic procurement system requirement and  
7 instead requiring no less than three written quotes for those  
8 purchases.

9           The legislature also finds that, as the largest department  
10 in the State with two hundred ninety-six schools and forty-two  
11 thousand salaried and part-time employees, the department of  
12 education must procure voluminous amounts of goods and services  
13 to run its operation.

14           The legislature further finds that the department of  
15 education is mandated to provide at least thirty per cent  
16 locally sourced foods to Hawaii's public schools by 2030.  
17 Increasing the department's small purchase procurement capacity



1 for local edible produce and packaged food products will assist  
2 the department in fulfilling its mandate to provide locally  
3 sourced foods for the State's public schools.

4 The legislature notes, however, that to effectuate Act 134,  
5 Session Laws of Hawaii 2025, the department requires that new  
6 statutory language allow for small purchase procurement of more  
7 than \$100,000 for local edible produce and packaged food  
8 products.

9 The purpose of this Act is to effectuate Act 134, Session  
10 Laws of Hawaii 2025, by:

- 11 (1) Exempting department of education purchases of local
- 12 edible produce and packaged food products less than
- 13 \$200,000 from the electronic procurement system; and
- 14 (2) Prohibiting the artificial division and parceling of
- 15 such procurements to be considered as small purchases.

16 SECTION 2. Section 302A-1317, Hawaii Revised Statutes, is  
17 amended to read as follows:

18 "~~+~~\$302A-1317~~+~~ Local edible produce and packaged food  
19 products procurement; small purchases. (a) Notwithstanding  
20 section [~~103D-305(e)~~] 103D-305(a) and (c) and any other law to  
21 the contrary, procurements of less than [~~\$250,000~~] \$200,000 for



1 local edible produce and packaged food products for the  
2 department shall be exempt from the requirement to conduct  
3 procurements through an electronic system and shall instead be  
4 subject to no less than three written quotes; provided that if  
5 the department is unable to receive the required number of  
6 written notifications as required by this section, written  
7 justification shall be provided and kept by the department.

8 (b) Notwithstanding section 103D-305(a), multiple  
9 expenditures for procurements of local edible produce and  
10 packaged food products made pursuant to this section shall not  
11 be created at the inception of a transaction or project so as to  
12 evade the requirements of chapter 103D; provided that  
13 procurement requirements shall not be artificially divided or  
14 parceled so as to constitute a small purchase."

15 SECTION 3. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon its approval,  
18 and shall be repealed on June 30, 2028.



**Report Title:**

DOE; Procurement; Small Purchases; Local Produce and Packaged Food Products; Written Quotes; Parceling

**Description:**

Adjusts the applicability of Act 134, SLH 2025, to clarify the threshold for Department of Education procurement of local edible produce and packaged food products. Prohibits the artificial division and parceling of DOE procurements of local edible produce and packaged food products. Sunsets 6/30/2028. (CD1)

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

