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Non-centralized Purchasing

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Non-centralized Purchasing

Reference Number: CTAS-914

Counties that have not adopted some form of centralized purchasing must look to various general laws and sometimes private acts for the purchasing provisions that govern purchasing for particular offices. In these non-centralized counties, purchasing may be handled by several officials.

County Purchasing Law of 1983

Reference Number: CTAS-915

The County Purchasing Law of 1983, found in T.C.A. § 5-14-201 *et seq.*, is commonly known as the “general law” on purchasing. This law governs purchases from the county general fund in those counties where purchasing is not governed by either a county or metropolitan government charter, a private act, or the County Financial Management System of 1981 or the County Purchasing Law of 1957. This act does not apply to purchases from county highway funds or from county education funds.

Under T.C.A. 5-14-202, the act also does not apply to purchases from nonprofit corporations, such as Local Government Data Processing Corporation (now Local Government Corporation), whose purpose is to provide goods or services specifically to counties.

Competitive Bidding—Under T.C.A. § 5-14-204, public advertisement and competitive bidding is required for all purchases and lease-purchase agreements, except for the following:

- Purchases costing less than the maximum amount established in T.C.A. § 12-3-1212 (\$25,000 in counties with non-centralized purchasing).
- Goods or services which may not be procured by competitive means because of a single source or because of a proprietary product;
- Supplies, materials or equipment needed in an emergency situation, subject to reporting requirements of the county legislative body and the county mayor;
- Leases or lease-purchase agreements costing less than the maximum amount established in T.C.A. § 12-3-1212 (\$25,000 in counties with non-centralized purchasing).
- Fuel and fuel products purchased in the open market by governmental bodies.

County legislative bodies may by resolution lower the dollar amount over which competitive bids are required, and may also adopt regulations providing procedures for implementing this act.

Purchasing Agent— There is no mention of a purchasing agent in the County Purchasing Law of 1983.

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