

## CHAPTER 140

**AN ACT** concerning the efficient procurement of goods and services by certain entities and amending and supplementing P.L.1994, c.48, and supplementing P.L.1989, c.141 (C.18A:64A-28.1 et at.).

**BE IT ENACTED** by the Senate and General Assembly of the State of New Jersey:

1. Section 3 of P.L.1994, c.48 (C.18A:3B-3) is amended to read as follows:

### C.18A:3B-3 Definitions.

3. For the purposes of this act, unless the context clearly requires a different meaning:

"Authority" means the Higher Education Student Assistance Authority established pursuant to N.J.S.18A:71A-3;

"Commission" means the New Jersey Commission on Higher Education established by this act;

"Council" means the New Jersey Presidents' Council established by this act;

"Council of County Colleges" means the New Jersey Council of County Colleges established pursuant to N.J.S.18A:64A-26;

"County college" means an educational institution established by one or more counties, pursuant to chapter 64A of Title 18A of the New Jersey Statutes;

"Educational research and services corporation" means a nonprofit corporation whose voting members are public research universities, State colleges, county colleges, public institutions of higher education primarily located in the State of New Jersey, and nonprofit independent institutions of higher education that receive direct State aid;

"Programmatic Mission" means all program offerings consistent within those levels of academic degrees or certificates that the institution has been authorized to grant by the State Board of Higher Education prior to the effective date of this act or approved thereafter by the commission; "Public Research University" means Rutgers, The State University of New Jersey, Rowan University, and the New Jersey Institute of Technology;

"State college" means any of the State colleges or universities established pursuant to chapter 64 of Title 18A of the New Jersey Statutes including any State college designated as a teaching university.

### C.18A:3B-6.1 Educational research and service corporation.

2. a. The governing board of a public research university or a State college may join with other public research universities, State colleges, county colleges, public institutions of higher education primarily located in the State of New Jersey, and nonprofit independent institutions of higher education that receive direct State aid, to form an educational research and services corporation to be operated exclusively for charitable, scientific, and educational purposes, within the meaning of paragraph (3) of subsection (c) of section 501 of the federal Internal Revenue Code (26 U.S.C. s.501).

b. (1) An educational research and services corporation may act as a lead agency or contracting unit for the procurement of goods or services concerning educational technology systems and related services by those entities comprising the educational and research services corporation.

(2) An educational research and services corporation shall be deemed a local unit for the purposes of the "Uniform Shared Services and Consolidation Act," sections 1 through 35 of P.L.2007, c.63 (C.40A:65-1 through C.40A:65-35) and may act as a lead agency or contracting unit for the procurement of goods or services concerning educational technology systems and related services by municipalities, fire districts, counties, local authorities

subject to the "Local Authorities Fiscal Control Law," P.L.1983, c.313 (C.40A:5A-1 et seq.), school districts, county colleges, State colleges, public research universities, nonprofit independent institutions of higher education that receive direct State aid, or any combination of those entities.

c. An educational research and services corporation formed under P.L.2015, c.140, shall be subject to all applicable requirements under all applicable State and local procurement laws, including, but not limited to, section 1 of P.L.1977, c.33 (C.52:25-24.2), P.L.2012, c.25 (C.52:32-55 et seq.), and P.L.2005, c.51 (C.19:44A-20.13 et seq.).

C.18A:64A-28.2a Council of County Colleges to act as lead agency.

3. The Council of County Colleges may act as the lead agency for the joint procurement of goods or services by county colleges pursuant to the "County College Contracts Law," P.L.1982, c.189 (C.18A:64A-25.1 et seq.).

4. This act shall take effect immediately.

Approved November 9, 2015.