

## **ZONE 6**

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**CO—Colorado State Statutes**  
**State of Colorado**  
**Colorado Revised Statutes**  
**Title 24 Government – State**  
**Article 110 Intergovernmental Relations**

§ 24-110-101. Definitions.

As used in this article, unless the context otherwise requires:

- 1) "Cooperative purchasing" means procurement conducted by, or on behalf of, more than one public procurement unit or by a public procurement unit with an external procurement activity.
- 2) "External procurement activity" means any buying organization not located in this state which, if located in this state, would qualify as a public procurement unit. An agency of the United States is an external procurement activity.
- 3) "Local public procurement unit" means any county, city, county and city, municipality, or other political subdivision of the state, any public agency of any such political subdivision, any public authority, any educational, health, or other institution, and, to the extent provided by law, any other entity which expends public funds for the procurement of supplies, services, and construction.
- 4) "Public procurement unit" means either a local public procurement unit or a state public procurement unit.
- 5) "State public procurement unit" means the department of personnel or any other purchasing agency of this state.

§ 24-110-201. Cooperative purchasing authorized.

Any public procurement unit may either participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of any supplies, services, or construction with one or more public procurement units, external procurement activities, or procurement consortiums which include as members tax-exempt organizations as defined by section 501 (c)(3) of the federal "Internal Revenue Code of 1986", as amended, in accordance with an agreement entered into between the participants. Such cooperative purchasing may include, but is not limited to, joint or multiparty contracts between public procurement units and open-ended state public procurement unit contracts which are made available to local public procurement units.

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**ID—Idaho State Statutes**  
**State of Idaho**  
**Title 67 State Government and State Affairs**  
**Chapter 23 Miscellaneous Provisions**

§ 67-2326. Joint action by public agencies—Purpose.

It is the purpose of this act to permit the state and public agencies to make the most efficient use of their powers by enabling them to cooperate to their mutual advantage and thereby provide services and facilities and perform functions in a manner that will best accord with geographic, economic, population, and other factors influencing the needs and development of the respective entities.

§ 67-2327. Definitions.

"Public agency" means any city or political subdivision of this state, including, but not limited to counties; school districts; highway districts; and port authorities; instrumentalities of counties, cities or any political subdivision created under the laws of the state of Idaho; any agency of the state government; and any city or political subdivision of another state.

"State" means a state of the United States and the District of Columbia

§ 67-2328. Joint exercise of powers.

a) Any power, privilege or authority, authorized by the Idaho Constitution, statute or charter, held by the state of Idaho or a public agency of said state, may be exercised and enjoyed jointly with the state of Idaho or any other public agency of this state having the same powers, privilege or authority; but never beyond the limitation of such powers, privilege or authority; and the state or public agency of the state, may exercise such powers, privileges and authority jointly with the United States, any other state, or public agency of any of them, to the extent that the laws of the United States or sister state, grant similar powers, privileges or authority, to the United States and its public agencies, or to the sister state and its public agencies; and

provided the laws of the United States or a sister state allow such exercise of joint power, privilege or authority. The state or any public agency thereof when acting jointly with another public agency of this state may exercise and enjoy the power, privilege and authority conferred by this act; but nothing in this act shall be construed to extend the jurisdiction, power, privilege or authority of the state or public agency thereof, beyond the power, privilege or authority said state or public agency might have if acting alone.

b) Any state or public agency may enter into agreements with one another for joint or cooperative action which includes, but is not limited to, joint use, ownership and/or operation agreements pursuant to the provisions of this act. Appropriate action by ordinance, resolution, or otherwise pursuant to law of the governing bodies of these participating public agencies shall be necessary before any such agreement may enter into force.

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**KS—Kansas State Statutes  
State of Kansas**

**Chapter 12 Cities and Municipalities  
Article 29 Interlocal Cooperation**

§ 12-2901. Purpose of act.

It is the purpose of this act to permit local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities, persons, associations and corporations on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities.

§ 12-2903. Definitions.

As used in the interlocal cooperation act:

a) "Public agency" means:

- 1) Any county, township, city, school district, library district, road district, drainage district, sewer district, water district or fire district;
- 2) any entity created pursuant to K.S.A. 12-2901 et seq. or chapter 72 of the Kansas Statutes Annotated, and amendments thereto;
- 3) any other municipal corporation, quasi-municipal corporation or political subdivision of this state or of any other state which is not specified in paragraphs (1) and (2);
- 4) any state officer; and
- 5) any agency or instrumentality of this state or any other state or of the United States.

b) "State" means a state of the United States and the District of Columbia.

c) "Private agency" means an individual, firm, association or corporation.

d) "State officer" shall mean the governor, attorney general, secretary of state, state treasurer and insurance commissioner of the state of Kansas.

§ 12-2904. Interlocal agreements by public agencies; specifications; approval of attorney general, exceptions.

a) Subject to the limitations of subsection (g), any power or powers, privileges or authority exercised or capable of exercise by a public agency of this state including but not limited to those functions relating to economic development, public improvements, public utilities, police protection, public security, public safety and emergency preparedness, including but not limited to, intelligence, antiterrorism and disaster recovery, libraries, data processing services, educational services, building and related inspection services, flood control and storm water drainage, weather modification, sewage disposal, refuse disposal, park and recreational programs and facilities, ambulance service, fire protection, the Kansas tort claims act or claims for civil rights violations, may be exercised and enjoyed jointly with any other public agency of this state or with any private agency, and jointly with any public agency of any other state or of the United States to the extent that the laws of such other state or of the United States permit such joint exercise or enjoyment. Any agency of the state government when acting jointly with any public or private agency may exercise and enjoy all of the powers, privileges and authority conferred by this act upon a public agency.

(b) Any public agency may enter into agreements with one or more public or private agencies for joint or cooperative action pursuant to the provisions of this act. Appropriate action by ordinance, resolution or otherwise pursuant to law of the governing bodies of the participating public agencies shall be necessary before any such agreement may enter into force.

**MT—Montana State Statutes**  
**State of Montana**  
**Title 18 Public Contracts**  
**Chapter 4 Montana Procurement Act**  
**Part 4 Cooperative Purchasing**

§ 18-4-401. Definitions.

As used in this part, the following definitions apply:

- 1) "Cooperative purchasing" means procurement conducted by or on behalf of more than one public procurement unit.
- 2) "Local public procurement unit" means a county, city, town, or other subdivision of the state or a public agency of any such subdivision; public authority; educational, health, or other institution; to the extent provided by law, any other entity that expends public funds for the procurement of supplies and services; and any nonprofit corporation operating a charitable hospital.
- 3) "Public procurement unit" means a local or state public procurement unit of this or any other state, including an agency of the United States, or a tribal procurement unit.
- 4) "State public procurement unit" means a state department, agency, or official that expends public funds for the procurement of supplies and services.
- 5) "Tribal procurement unit" means a tribal government, tribal entity, or official of a tribal government located in Montana that expends tribal funds or funds administered by a tribe for the procurement of supplies and services to the extent provided by tribal or federal law.

§ 18-4-124. Local government adoption of procurement provisions.

A political subdivision or school district may adopt any or all parts of this chapter and the accompanying rules promulgated by the department.

§ 18-4-402. Cooperative purchasing authorized.

The department may participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of any supplies or services with one or more public procurement units in accordance with an agreement entered into between the participants independent of the requirements of part 3. Cooperative purchasing may include purchasing through federal supply schedules of the United States general services administration, joint or multiparty contracts between public procurement units and open-ended state public procurement unit contracts that are made available to local public procurement units.

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**NE—Nebraska State Statutes**  
**State of Nebraska**  
**Chapter 13 Cities, Counties, and Political Subdivisions**

§ 13-2503. Terms, defined.

For purposes of the Joint Public Agency Act:

- 5) Public agency means any county, city, village, school district, or agency of the state government or of the United States, any drainage district, sanitary and improvement district, or other municipal corporation or political subdivision of this state, and any political subdivision of another state;

§ 13-2505. Joint exercise of powers.

Notwithstanding any restrictions contained in a city charter, any power, privilege, or authority exercised or capable of exercise by a public agency of this state may be exercised and enjoyed jointly with any other public agency of this state and jointly with any public agency of any other state or of the United States to the extent that laws of such other state or of the United States permit such joint exercise or enjoyment. Any agency of state government when acting jointly with any public agency may exercise and enjoy all of the powers, privileges, and authority conferred by the Joint Public Agency Act upon a public agency.

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**ND—North Dakota State Statutes**  
**State of North Dakota**  
**Title 54 State Government**  
**Chapter 54-40 Joint Exercise of Governmental Powers**

§ 54-40.3-01. Joint powers agreements - General authority.

1) Any county, city, township, city park district, school district, or other political subdivision of this state, upon approval of its respective governing body, may enter into an agreement with any other political subdivision of this state for the cooperative or joint administration of any power or function that is authorized by law or assigned to one or more of them. Any political subdivision of this state may enter into a joint powers agreement with a political subdivision of another state or political subdivision of a Canadian province if the power or function to be jointly administered is a power or function authorized by the laws of this state for a political subdivision of this state and is authorized by the laws of the other state or province.

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**SD—South Dakota State Statutes**  
**State of South Dakota**  
**Title 1 Chapter 1-24**

§ 1-24-1

Terms used in this chapter mean:

- 1) "Participating public agency," any public agency which has elected to participate in a pool arrangement;
- 2) "Public agency," any county, municipality, township, school district, consumers power district or drainage district of the state of South Dakota; any agency of South Dakota state government or of the United States; any political subdivision of this state; any political subdivision of another adjacent state; and any Indian tribe;
- 3) "State," a state of the United States and the District of Columbia;
- 4) "State agency," each association, authority, board, commission, committee, council, department, division, office, officer, task force or other agent of the state vested with the authority to exercise any portion of the state's sovereignty; provided that the term shall not include the legislative or judicial branch of the government of the state or units of local government, including but not limited to counties, townships, municipalities, chartered governmental units, or school or other special districts, or Indian tribes.

§ 1-24-2

Any power or powers, privileges or authority exercised or capable of exercise by a public agency of this state may be exercised and enjoyed jointly with any other public agency of this state and jointly with any public agency of any other state or of the United States to the extent that the laws of such other state or of the United States permit such joint exercise or enjoyment. Any agency of South Dakota state government when acting jointly with any public agency may exercise and enjoy all of the powers, privileges, and authority conferred by §§1-24-2 to 1-24-9, inclusive, upon a public agency. The provisions of this section do not apply to the power to tax or police powers, unless jointly held or otherwise authorized by law.

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**UT—Utah State Statutes**  
**State of Utah**  
**Title 11 Cities, Counties, and Local Taxing Units**  
**Chapter 13 Interlocal Cooperation Act**

§ 11-13-102. Purpose of chapter.

The purpose of this chapter is:

- 1) to permit local governmental units to make the most efficient use of their powers by enabling them to cooperate with other localities on a basis of mutual advantage and thereby to provide services and facilities in a manner and under forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities; and
- 2) to provide the benefit of economy of scale, economic development, and utilization of natural resources for the overall promotion of the general welfare of the state.

§ 11-13-103. Definitions.

10) "Out-of-state public agency" means a public agency as defined in Subsection (13)(c), (d), or (e).

13) "Public agency" means:

- a) a city, town, county, school district, special district, or other political subdivision of the state;
- b) the state or any department, division, or agency of the state;
- c) any agency of the United States;
- d) any political subdivision or agency of another state or the District of Columbia including any interlocal cooperation or joint powers agency formed under the authority of the law of the other state or the District of Columbia; and

16) "Utah public agency" means a public agency under Subsection (13)(a) or (b).

§ 11-13-201. Joint exercise of power, privilege, or authority by public agencies — Relationship to the Municipal Cable Television and Public Telecommunications Services Act.

1.a) Any power, privilege, or authority exercised or capable of exercise by a Utah public agency may be exercised and enjoyed jointly with any other Utah public agency having the power, privilege, or authority, and jointly with any out-of-state public agency to the extent that the laws governing the out-of-state public agency permit such joint exercise or enjoyment.

b) Any agency of the state government when acting jointly with any public agency may exercise and enjoy all of the powers, privileges, and authority conferred by this chapter upon a public agency.

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**WY—Wyoming State Statutes**  
**State of Wyoming**  
**Title 16 City, County, State and Local Powers**  
**Chapter 1 Intergovernmental Cooperation**  
**Article 1 In General**

§ 16-1-101. Authority to cooperate.

In exercising, performing or carrying out any power, privilege, authority, duty or function legally vested in any one (1) or more of them by Wyoming law, the state of Wyoming, and any one (1) or more of its counties, municipal corporations, school districts, special districts, public institutions, agencies, boards, commissions and political subdivisions, and any officer or legal representative of any one (1) or more of them, may cooperate with and assist each other, and like entities or authorities of other states, the United States and the Eastern Shoshone and Northern Arapaho Tribes of the Wind River Reservation. Cooperation may be informal or subject to resolution, ordinance or other appropriate action, and may be embodied in a written agreement specifying purposes, duration, means of financing, methods of operations, termination, acquisition and disposition of property, employment of executive and subordinate agents and other appropriate provisions.

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END Zone 6