

## **ZONE 7**

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### **AZ—Arizona State Statutes State of Arizona**

#### **Title 11 Counties Chapter 7 Intergovernmental Operations Article 3 Joint Exercise of Powers**

**At this time the law(s) and/or ordinance(s) within this state either restrict and/or deny utilization of contractual agencies not physically located within its borders. Please check back for updated information as it will be posted as it becomes available; or for more information, please contact us at: [questions@EFATc.com](mailto:questions@EFATc.com)**

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### **NM—New Mexico State Statutes State of New Mexico**

#### **Chapter 11 Intergovernmental Agreements and Authorities Article 1 Joint Powers Authority**

##### **§ 11-1-2. Definitions.**

As used in the Joint Powers Agreements Act:

A) "public agency" means the federal government or any federal department, agency or instrumentality; this state, an adjoining state or any state department, agency or instrumentality; an Indian nation, tribe or pueblo; a subdivision of an Indian nation, tribe or pueblo that has authority pursuant to the law of that Indian nation, tribe or pueblo to enter into joint powers agreements directly with the state; a county, municipality, public corporation or public district of this state or an adjoining state; a New Mexico educational institution specified in Article 12, Section 11 of the constitution of New Mexico; and a New Mexico school district.

##### **§ 11-1-3. Authority to enter into agreements; approval of the secretary of finance and administration required.**

If authorized by their legislative or other governing bodies, two or more public agencies by agreement may jointly exercise any power common to the contracting parties, even though one or more of the contracting parties may be located outside this state; provided, however, nothing contained in this Joint Powers Agreements Act shall authorize any state officer, board, commission, department or any other state agency, institution or authority, or any county, municipality, public corporation or public district to make any agreement without the approval of the secretary of finance and administration as to the terms and conditions thereof. Joint powers agreements approved by the secretary of finance and administration shall be reported to the state board of finance at its next regularly scheduled public meeting. A list of the approved agreements shall be filed with the office of the state board of finance and made a part of the minutes.

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### **OK—Oklahoma State Statutes State of Oklahoma**

#### **Title 74 State Government Chapter 31 Interlocal Cooperation Act**

##### **§ 74-1001. Purpose.**

It is the purpose of Section 1001[74-1001] et seq. of this title 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 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. The cooperating governmental units can, if they deem it necessary, create an entity to carry out the cooperative functions.

##### **§ 74-1003. Definitions.**

A. For the purposes of Section et seq. of this title, the term "public agency" shall mean:

- 1) Any political subdivision of this state;
- 2) Any agency of the state government or of the United States;
- 3) Each and every public trust of this state regardless of whether the beneficiary of such trust is a municipality, a county, or the State of Oklahoma, except the Oklahoma Ordnance Works Authority;

- 4) Any corporation organized not for profit pursuant to the provisions of the Oklahoma General Corporation Act, Section 1001[18-1001] et seq. of Title 18 of the Oklahoma Statutes, for the primary purpose of developing and providing rural water supply and sewage disposal facilities to serve rural residents or to provide community-based services or assistance to clients of the Department of Mental Health and Substance Abuse Services as provided in Section 43A-2-106[43A-43A-2-106] of Title 43A of the Oklahoma Statutes; and
- 5) Any political subdivision of another state.
  - b) The term "state" shall mean a state of the United States and the District of Columbia.

§ 74-1004. Agreements authorized

A) 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 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 agency may exercise and enjoy all of the powers, privileges and authority conferred by this act<sup>[fn1]</sup> upon a public agency.

B) Any two or more public agencies may enter into agreements with one another 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.

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**TX—Texas State Statutes**  
**State of Texas**  
**Government Code**  
**Title 7. Intergovernmental Relations**  
**Chapter 791 Interlocal Cooperation Contracts**  
**Subchapter C. Specific Interlocal Contracting Authority**

§ 791.001 Government Purpose

The purpose of this chapter is to increase the efficiency and effectiveness of local governments by authorizing them to contract, to the greatest possible extent, with one another and with agencies of the state.

§ 791.003 Government Definitions

- 2) "Interlocal contract" means a contract or agreement made under this chapter.
- 4) "Local government" means a:
  - a) county, municipality, special district, or other political subdivision of this state or another state;
  - b) local government corporation created under Subchapter D, Chapter 431, Transportation Code; or
  - c) political subdivision corporation created under Chapter 304, Local Government Code; or
  - d) combination of two or more entities described by Paragraph (A), (B), or (C).
- 5) "Political subdivision" includes any corporate and political entity organized under state law

§ 791.025 Government Contracts for Purchases

a) A local government, including a council of governments, may agree with another local government or with the state or a state agency, including the General Services Commission, to purchase goods and services.

b) A local government, including a council of governments, may agree with another local government, including a nonprofit corporation that is created and operated to provide one or more governmental functions and services, or with the state or a state agency, including the General Services Commission, to purchase goods and any services reasonably required for the installation, operation, or maintenance of the goods. This subsection does not apply to services provided by firefighters, police officers, or emergency medical personnel.

c) A local government that purchases goods and services under this section satisfies the requirement of the local government to seek competitive bids for the purchase of the goods and services.

d) In this section, "council of governments" means a regional planning commission created under Chapter 391, Local Government Code.