

THE HOUSE OF REPRESENTATIVES
Tuesday, April 15, 2008

Committee Substitute for
ENGROSSED
Senate Bill No. 2070

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 2070 - By:
SPARKS, RILEY, ADELSON, BASS, IVESTER, LASTER, LERBLANCE AND GUMM of
the Senate and HILLIARD, BRADDOCK, DORMAN, HARRISON, INMAN, KIESEL,
LUTTRELL, MCAFFREY, MCMULLEN, NATIONS, PROCTOR, RENEGAR AND
COLLINS of the House.

An Act relating to public buildings and public works; amending 61 O.S. 2001,
Section 51, which relates to government bodies purchasing American-made
goods; requiring all United States flags and all Oklahoma flags purchased by
the state or political subdivisions be manufactured in the United States; and
providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. AMENDATORY 61 O.S. 2001, Section 51, is amended to read as
2 follows:

3 Section 51. A. ~~All~~ Except as provided in subsection C of this section, all agencies,
4 boards, commissions, offices, institutions, or other governmental bodies of the State of
5 Oklahoma, and all individuals making purchases on behalf of such governmental bodies,
6 shall purchase for such governmental bodies goods and equipment manufactured or
7 produced in the United States of America as determined pursuant to federal and state
8 law, unless:

- 1 1. A foreign-made product is substantially cheaper and of equal quality;
- 2 2. A foreign-made product is of substantially superior quality to competing
- 3 American products and is sold at a comparable price; or
- 4 3. A reciprocal trade agreement or treaty has been negotiated by the State of
- 5 Oklahoma or by the United States government on behalf of or including this state with a
- 6 foreign nation or government for nondiscriminatory governmental procurement practices
- 7 or policies with such foreign nation or government.

8 B. The state and any political subdivision of the state may give a two and one-half

9 percent (2 1/2%) differential preference to the cost of goods and equipment manufactured

10 or produced in the United States of America over foreign-made products; provided that

11 such preferences shall not be for goods or equipment of inferior quality to those offered

12 from outside the United States of America. This preference shall not be in addition to

13 any other preference for which such goods or equipment may be eligible pursuant to law.

14 C. All United States flags and all Oklahoma flags purchased by the state or

15 political subdivisions shall be manufactured in the United States.

16 SECTION 2. This act shall become effective November 1, 2008.

17 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT AND

18 TRANSPORTATION, dated 04-14-08 - DO PASS, As Amended and Coauthored.