

SB 2070

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THE STATE SENATE  
Wednesday, February 20, 2008

Senate Bill No. 2070

SENATE BILL NO. 2070 - By: SPARKS, RILEY, ADELSON, BASS, IVESTER, LASTER and LERBLANCE of the Senate and COLLINS, BRADDOCK, DORMAN, HARRISON, HILLIARD, INMAN, KIESEL, LUTTRELL, McAFFREY, McMULLEN, NATIONS, PROCTOR and RENEGAR 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, political subdivisions or public school districts be manufactured in the United States; and providing an effective date.

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

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

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

1. A foreign-made product is substantially cheaper and of equal quality;

2. A foreign-made product is of substantially superior quality to competing American products and is sold at a comparable price; or

1           3. A reciprocal trade agreement or treaty has been negotiated  
2 by the State of Oklahoma or by the United States government on  
3 behalf of or including this state with a foreign nation or  
4 government for nondiscriminatory governmental procurement practices  
5 or policies with such foreign nation or government.

6           B. The state and any political subdivision of the state may  
7 give a two and one-half percent (2 1/2%) differential preference to  
8 the cost of goods and equipment manufactured or produced in the  
9 United States of America over foreign-made products; provided that  
10 such preferences shall not be for goods or equipment of inferior  
11 quality to those offered from outside the United States of America.  
12 This preference shall not be in addition to any other preference for  
13 which such goods or equipment may be eligible pursuant to law.

14           C. All United States flags and all Oklahoma flags purchased by  
15 the state, political subdivisions, or public school districts shall  
16 be manufactured in the United States.

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

18           COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 2-18-08  
19 - DO PASS, As Coauthored.