

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB461
Page 7 Section 3 Lines 12
Of the printed Bill
Of the Engrossed Bill

By creating a new Section 3 and inserting the following language:

(SEE ATTACHED);

And by renumbering subsequent sections.

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Mike Brown

Reading Clerk

SECTION 3. AMENDATORY 74 O.S. 2001, Section 85.17A, as amended by Section 1, Chapter 395, O.S.L. 2010 (74 O.S. Supp. 2010, Section 85.17A), is amended to read as follows:

Section 85.17A A. State agencies shall not discriminate against bidders from states or nations outside Oklahoma, except as provided by this section. State agencies shall reciprocate the bidding preference given by other states or nations to bidders domiciled in their jurisdictions for acquisitions pursuant to The Oklahoma Central Purchasing Act. The State Purchasing Director shall annually prepare and distribute to certified procurement officers a schedule providing which states give bidders in their states a preference and the extent of the preference. This schedule shall be used by state agencies in evaluating bids.

B. For purposes of awarding contracts state agencies shall:

1. Give a resident bidder a one percent (1%) preference to goods and services that have been manufactured or produced in this state if the price, fitness, availability and quality are otherwise equal;

2. Give preference to goods and services from another state over foreign goods or services if goods or services manufactured or produced in this state are not equal in price, fitness, availability, or quality; and

3. Add a percent increase to the bid of a nonresident bidder equal to the percent, if any, of the preference given to the bidder in the state in which the bidder resides.

C. For purposes of this section, "resident bidder" means an individual, partnership, association, corporation, or other business entity that, on the date the contract is first advertised or announced as available for bidding:

1. Has for one (1) year prior to and through the date of the invitation to bid or request for proposal, filed Oklahoma corporate income taxes, made payments to the Oklahoma unemployment insurance fund, and maintained an Oklahoma workers' compensation policy in effect; and

2. Has at least fifty-one percent (51%) of its property and payroll located in Oklahoma.

D. The provisions of this section shall be made a part of the invitation to bid or request for proposal.

E. The provisions of this section shall apply to all contracts made by state agencies, political subdivisions, and school boards of this state.