

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 58th Legislature (2021)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 2034

By: **McBride** and O'Donnell

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8                                   COMMITTEE SUBSTITUTE

9                   An Act relating to state contracts; declaring the oil  
10                   and gas industry a vital economic partner;  
11                   prohibiting state contracts without certain written  
12                   certification; prohibiting adoption of procurement,  
13                   investment or other policy that requires a person to  
14                   boycott the oil and gas industry; authorizing  
15                   approval of contracts and waiving of applications;  
16                   defining terms; providing for codification; and  
17                   providing an effective date.

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

19                   SECTION 1.           NEW LAW           A new section of law to be codified  
20                   in the Oklahoma Statutes as Section 580 of Title 74, unless there is  
21                   created a duplication in numbering, reads as follows:

22                   A.   The State of Oklahoma hereby declares that the oil and gas  
23                   industry is a vital part of the economy of the State of Oklahoma and  
24                   that the state, and those companies that do business by and through  
the state, in the interest of the state's economic policy, should  
not boycott the oil and gas industry.

1 B. Except as provided in subsection D of this section, the  
2 state shall not enter into a contract with a company unless the  
3 company submits a written certification that the company is not  
4 currently engaged in a boycott, in any manner, of the oil and gas  
5 industry that constitutes an integral part of business conducted or  
6 sought to be conducted with the state.

7 C. The state shall not adopt a procurement, investment or other  
8 policy that has the effect of inducing or requiring a person to  
9 boycott the oil and gas industry, or to boycott a person doing  
10 business with the oil and gas industry.

11 D. The Oklahoma Secretary of State shall approve contracts or  
12 may waive application of this section on any contract with any state  
13 agency if the Secretary determines that compliance is not  
14 practicable.

15 E. As used in this section:

16 1. "Boycott" means engaging in a refusal to deal, terminating  
17 business activities or performing other actions that are intended to  
18 limit commercial relations with persons or entities doing business  
19 with the oil and gas industry;

20 2. "Oil and gas industry" means any company that is engaged in  
21 exploration, production, refining, servicing and transportation of  
22 oil, natural gas or other petroleum products;

23 3. "Company" means an organization, association, corporation,  
24 partnership, venture or other entity, its subsidiary or affiliate,

1 that exists for profit-making purposes or to otherwise secure  
2 economic advantage;

3 4. "Contract" means a written agreement between the state and a  
4 company to acquire or dispose of goods or services with an aggregate  
5 price of more than One Hundred Thousand Dollars (\$100,000.00).

6 Contract does not mean a written agreement between the state and an  
7 individual to acquire or dispose of goods or services, including  
8 employment or consultant services; and

9 5. "State" means this state or an agency, board, commission or  
10 department of this state.

11 SECTION 2. This act shall become effective November 1, 2021.

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13 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated  
14 02/18/2021 - DO PASS, As Amended and Coauthored.

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