

1 ENGROSSED SENATE  
2 BILL NO. 1510

By: Hall and Boren of the  
Senate

3 and

4 Archer of the House

5  
6 An Act relating to the Energy Discrimination  
7 Elimination Act of 2022; amending Section 5, Chapter  
8 231, O.S.L. 2022 (74 O.S. Supp. 2023, Section 12005),  
9 which relates to municipal and state agency  
contracts; deleting definition; modifying application  
of certain contract requirements; updating statutory  
reference; and declaring an emergency.

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11  
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY Section 5, Chapter 231, O.S.L.  
14 2022 (74 O.S. Supp. 2023, Section 12005), is amended to read as  
15 follows:

16 Section 12005. A. ~~As used in this section only of the Energy~~  
17 ~~Discrimination Elimination Act of 2022, "governmental entity" means~~  
18 ~~a state agency or political subdivision of this state.~~

19 ~~B.~~ 1. Except for ~~paragraph 4 of this subsection~~ as provided in  
20 subsection B of this section, this section applies only to a  
21 contract that:

22 a. is between a ~~governmental entity~~ state agency and a  
23 company with ten or more full-time employees, and  
24

1           b. ~~will pay a company~~ provides terms for payment of One  
2           Hundred Thousand Dollars (\$100,000.00) or more ~~over~~  
3           ~~the term of the contract~~ by a state agency to a  
4           company that is to be paid wholly or partly from  
5           public funds of the ~~governmental entity~~ state agency;  
6           provided, however, the provisions of this paragraph  
7           shall apply separately to all companies in a multiple  
8           party contract.

9           2. Except as provided by ~~paragraph 4 of this~~ subsection B of  
10 this section, a ~~governmental entity~~ state agency shall not enter  
11 into a contract with a company for goods or services unless the  
12 contract contains a written verification from the company that it:

- 13           a. does not boycott energy companies, and  
14           b. will not boycott energy companies during the term of  
15           the contract.

16           3. Except as provided by ~~paragraph 4 of this~~ subsection B of  
17 this section, a ~~governmental entity~~ state agency shall not enter  
18 into a contract for goods or services with a listed financial  
19 company under Section ~~3 of this act~~ 12003 of this title.

20           ~~4. B.~~ Paragraphs 2 and 3 of ~~this~~ subsection A of this section  
21 shall not apply to:

22           ~~a. a governmental entity~~ 1. A state agency that determines the  
23 requirements of paragraphs 2 or 3 of ~~this~~ subsection A of this  
24 section are inconsistent with the ~~governmental entity's~~

1 constitutional or statutory duties of the agency related to the  
2 issuance, incurrence, or management of debt obligations or the  
3 deposit, custody, management, borrowing, or investment of funds,  
4 and; or

5 ~~b. a~~ 2. A contract ~~for which that~~ a ~~governmental body~~ state  
6 agency determines the supplies or services to be provided are not  
7 otherwise reasonably available from a company that is not a listed  
8 financial company under Section ~~3 of this act~~ 12003 of this title.

9 SECTION 2. It being immediately necessary for the preservation  
10 of the public peace, health or safety, an emergency is hereby  
11 declared to exist, by reason whereof this act shall take effect and  
12 be in full force from and after its passage and approval.

13 Passed the Senate the 20th day of February, 2024.

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15 \_\_\_\_\_  
16 Presiding Officer of the Senate

17 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
18 2024.

19  
20 \_\_\_\_\_  
21 Presiding Officer of the House  
22 of Representatives  
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