

Bill Summary
2nd Session of the 59th Legislature

Bill No.:	HB 2164
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Author:	Sen. Haste
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Bill Analysis

HB 2164 increases the penalty for persons convicted of voluntarily becoming interested in an individual sale of property when such persons are public officers authorized to sell or lease any property, or make, approve, negotiate, or authorize any contract in his or her official capacity. The penalty is increased from a misdemeanor to a felony and prohibits such individuals from holding public office. Such individuals shall be subject to removal from office. The measure provides that an officer, employee or contractor of a state agency who obtains nonpublic information by virtue of their government employment who uses the information for personal gain or benefit as well as their immediate family shall be guilty of a felony, punishable by a term of imprisonment of up to 5 years and/or a maximum fine of \$10,000.00. Such individuals shall be subject to removal from office as well.

The measure provides that any agreement or collusion among bidders to bid at a fixed price or to refrain from bidding will render the bids of such bidders void and establishes a felony for willful violations. The measure provides that the disclosure of an employee of a public agency of the terms of a bid submitted in response to a bid notice in advance of the time set for opening of the bid is a felony. The measure requires bidders to provide business or familial relationship information between any officer or director of the bidding company and any officer or employee of the state agency receiving the bid. The measure voids sole source or professional services contracts, transactions and agreements entered into with persons who have been terminated from employment. Every person elected or appointed a chief executive officer or head of a state agency, board, bureau, trust, commission, council, department, system, or authority shall be required within 1 year after taking the oath of office to attend a course directed by the Oklahoma Ethics Commission beginning January 1, 2027.

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