

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 4014

By: McBride

AS INTRODUCED

An Act relating to state contracts; amending Section 5, Chapter 231, O.S.L. 2022 (74 O.S. Supp. 2023, Section 12005), which relates to the Energy Discrimination Elimination Act of 2022; modifying definition; and providing an effective date.

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

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

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

B. 1. Except for paragraph 4 of this subsection, this section applies only to a contract that:

- a. is between a governmental entity and a company with ten or more full-time employees, and

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

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

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

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

18 4. Paragraphs 2 and 3 of this subsection shall not apply to:

- 19 a. a governmental entity that determines the requirements
20 of ~~paragraphs~~ paragraph 2 or 3 of this subsection are
21 inconsistent with the governmental entity's
22 constitutional or statutory duties related to the
23 issuance, incurrence, or management of debt

1 obligations or the deposit, custody, management,
2 borrowing, or investment of funds, and

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

8 SECTION 2. This act shall become effective November 1, 2024.

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10 59-2-8627 LRB 11/29/23