

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 ENGROSSED SENATE
5 BILL NO. 1510

By: Hall and Boren of the
Senate

6 and

7 Archer of the House

8
9 An Act relating to the Energy Discrimination
10 Elimination Act of 2022; amending Section 5, Chapter
11 231, O.S.L. 2022 (74 O.S. Supp. 2023, Section 12005),
12 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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15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY Section 5, Chapter 231, O.S.L.
17 2022 (74 O.S. Supp. 2023, Section 12005), is amended to read as
18 follows:

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

22 B. 1. Except ~~for paragraph 4 of this subsection~~ as provided in
23 subsection B of this section, this section applies only to a
24 contract that:

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

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

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

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

22 ~~4. B.~~ Paragraphs 2 and 3 of ~~this~~ subsection A of this section
23 shall not apply to:
24

1 ~~a. a governmental entity~~ 1. A state agency that determines the
2 requirements of paragraphs 2 or 3 of ~~this~~ subsection A of this
3 section are inconsistent with the ~~governmental entity's~~
4 constitutional or statutory duties of the agency related to the
5 issuance, incurrence, or management of debt obligations or the
6 deposit, custody, management, borrowing, or investment of funds,
7 ~~and; or~~

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

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

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17 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 04/11/2024 - DO PASS.

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