

HB 2094 A STAFF MEASURE SUMMARY

Carrier: Rep. Wilson

House Committee On Rules

Action Date: 02/27/19

Action: Do pass with amendments. (Printed A-Eng.)

Vote: 6-0-1-0

Yeas: 6 - Boles, Holvey, Nosse, Smith Warner, Williamson, Wilson

Exc: 1 - Sprenger

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Josh Nasbe, Counsel

Meeting Dates: 1/28, 2/27

WHAT THE MEASURE DOES:

Authorizes contracting agency, when evaluating bid or proposal subject to Public Contracting Code, to consider whether bidder or proposer owes liquidated and delinquent debt to state. Takes effect 91 days after sine die. Becomes operative on January 1, 2020.

ISSUES DISCUSSED:

- Debt collection; liquidated and delinquent debts
- State vs. local debt collection
- Executive Order

EFFECT OF AMENDMENT:

Limits debt that may be considered to liquidated and delinquent debt.

BACKGROUND:

In the course of awarding public contracts, contracting agencies are required by the Public Contracting Code to make a determination of whether a bidder or proposer is "responsible." This determination requires the bidder or proposer to demonstrate a number of factors to the contracting agency, including that the bidder or proposer has the appropriate resources and skills to complete the contract, has a satisfactory record of integrity, and has complied with the tax laws in this state. The results of this determination may dictate whether a bidder or proposer is awarded a contract. House Bill 2094A authorizes contracting agencies to conduct a separate analysis and, as part of the evaluation of a bid or proposal, "consider" whether the bidder or proposer owes a liquidated or delinquent debt to the state.