

House Bill 2094

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Governor Kate Brown for Oregon Department of Administrative Services)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Permits contracting agency to consider at any time before executing public contract with bidder or proposer whether bidder or proposer owes debt to state.

Becomes operative on January 1, 2020.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1
2 Relating to considering whether persons seeking public contracts owe a debt to the state; and pre-
3 scribing an effective date.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1. Section 2 of this 2019 Act is added to and made a part of ORS chapter 279A.**

6 **SECTION 2. In addition to making a determination concerning a bidder's or proposer's**
7 **responsibility under ORS 279B.110 or 279C.375, a contracting agency as part of the contract-**
8 **ing agency's evaluation of a bid or proposal may consider at any time before executing a**
9 **public contract with the bidder or proposer whether the bidder or proposer owes a debt to**
10 **the state.**

11 **SECTION 3. Section 2 of this 2019 Act applies to procurements that a contracting agency**
12 **advertises or otherwise solicits or, if the contracting agency does not advertise or otherwise**
13 **solicit the procurement, to public contracts into which the contracting agency enters on or**
14 **after the operative date specified in section 4 of this 2019 Act.**

15 **SECTION 4. (1) Section 2 of this 2019 Act becomes operative on January 1, 2020.**

16 **(2) The Attorney General, the Director of the Oregon Department of Administrative**
17 **Services, the Director of Transportation and the director or other head of a contracting**
18 **agency that adopts rules under ORS 279A.065 or 279A.070 may adopt rules and take any other**
19 **action before the operative date specified in subsection (1) of this section that is necessary**
20 **to enable the Attorney General or the director or other head to exercise, on and after the**
21 **operative date specified in subsection (1) of this section, all of the duties, functions and**
22 **powers conferred on the Attorney General or the director or other head by section 2 of this**
23 **2019 Act.**

24 **SECTION 5. This 2019 Act takes effect on the 91st day after the date on which the 2019**
25 **regular session of the Eightieth Legislative Assembly adjourns sine die.**

26

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.