

FIRST REGULAR SESSION

# HOUSE BILL NO. 314

92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE ENGLER.

Read 1<sup>st</sup> time January 29, 2003, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

1294L.011

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## AN ACT

To amend chapter 34, RSMo, by adding thereto one new section relating to bonds of officers and contractors for public works.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 34, RSMo, is amended by adding thereto one new section, to be  
2 known as section 34.059, to read as follows:

**34.059. 1. No public entity, nor any officer, agent or employee acting or purporting  
2 to act on behalf of such public entity, shall require a bidder, proposer, or contractor to  
3 obtain or procure any surety bond, including but not limited to bid bonds, payment bonds  
4 and performance bonds, from a particular insurance or surety company, producer, agent,  
5 or broker in connection with any contract for the construction of public works.**

**6 2. Any provision in a public works contract, bidding documents, request for  
7 proposals, or similar document in conflict herewith shall be void as contrary to the public  
8 policy.**

**9 3. As used in this section, the terms "public entity" and "public works" shall be  
10 given the definition set forth in section 107.710, RSMo.**