

FIRST REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]

HOUSE BILL NO. 314

92ND GENERAL ASSEMBLY

1294L.01T

2003

AN ACT

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

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 107.170, RSMo.**