

HB 844 -- OPEN CONTRACTING ACT (Mayer)

This bill establishes the Open Contracting Act. The state and political subdivisions when procuring products, awarding contracts, issuing grants, or entering into cooperative agreements for construction of public works may not:

- (1) Require or prohibit contractors to enter into or adhere to agreements with one or more labor organizations on the same or related projects or prohibit contractors from doing the same;
- (2) Discriminate against contractors for refusing to become or remain signatories or otherwise adhere to agreements with one or more labor organizations on the same or related contracts; and
- (3) Require or prohibit any contractor from entering into any agreement that requires its employees to become members of or affiliated with a labor organization.

An interested party, including a bidder, contractor, or taxpayer, may challenge any bid specification, project agreement, controlling document, grant, or cooperative agreement in violation of the bill and will be awarded costs and attorney fees if a challenge succeeds.

FISCAL NOTE: Estimated Cost on General Revenue Fund of Unknown, less than \$100,000 in FY 2005, FY 2006, and FY 2007. Expected to be less than \$100,000. No impact on Other State Funds in FY 2005, FY 2006, and FY 2007.