

SECOND REGULAR SESSION

# HOUSE BILL NO. 1469

## 93RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES WILSON (130) (Sponsor), PORTWOOD, WETER, FISHER,  
NOLTE, SANDERS BROOKS AND WHORTON (Co-sponsors).

Read 1st time January 19, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4013L.01I

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### AN ACT

To repeal sections 34.070 and 34.073, RSMo, and to enact in lieu thereof two new sections relating to state purchases.

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

Section A. Sections 34.070 and 34.073, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 34.070 and 34.073, to read as follows:

34.070. In making purchases, the commissioner of administration or any agent of the  
2 state with purchasing power shall give preference to all commodities and tangible personal  
3 property manufactured, mined, produced or grown within the state of Missouri and to all firms,  
4 corporations or individuals doing business as Missouri firms, corporations or individuals, when  
5 quality is equal or better and delivered price is the same or less. **If the lowest bid price is**  
6 **submitted by an out-of-state bidder, the instate bidder that submitted the next closest bid**  
7 **price shall be given the option of matching the lowest out-of-state bid price and, if the**  
8 **instate bidder so matches, the purchase shall be made from such instate bidder.** The  
9 commissioner of administration or any agent of the state with purchasing power may also give  
10 such preference whenever competing bids, in their entirety, are comparable.

34.073. 1. In letting contracts for the performance of any job or service, all agencies,  
2 departments, institutions, and other entities of this state and of each political subdivision of this  
3 state shall give preference to all firms, corporations, or individuals doing business as Missouri  
4 firms, corporations, or individuals, or which maintain Missouri offices or places of business,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

5 when the quality of performance promised is equal or better and the price quoted is the same or  
6 less. **If the lowest bid price is submitted by an out-of-state bidder, the instate bidder that**  
7 **submitted the next closest bid price shall be given the option of matching the lowest out-of-**  
8 **state bid price and, if the instate bidder so matches, shall be awarded the contract.** The  
9 commissioner of administration may also give such preference whenever competing bids, in their  
10 entirety, are comparable.

11 2. Notwithstanding the requirements of subsection 1 of this section, the commissioner  
12 of administration shall give further preference as required by section 34.076.

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