

SECOND REGULAR SESSION

# HOUSE BILL NO. 3385

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE OVERCAST.

6259H.011

JOSEPH ENGLER, Chief Clerk

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## AN ACT

To amend chapter 34, RSMo, by adding thereto one new section relating to state purchase of Missouri agricultural products.

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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 34.072, to read as follows:

34.072. 1. In making purchases, the commissioner of administration or any  
2 agent of the state with purchasing power shall give preference to Missouri-grown or  
3 Missouri-produced agricultural products, provided that such products are available in  
4 sufficient quantity, are of good quality, and do not exceed the cost of similar products  
5 produced outside this state by more than ten percent. For purposes of this section,  
6 "produced" means planted, grown, cultivated, harvested, raised, collected, processed, or  
7 manufactured.

8 2. The competitive bidding process in section 34.042 applies to the purchases  
9 made under this section.

10 3. In making purchases for this state, its governmental agencies, political  
11 subdivisions, institutions, or school districts, the commissioner of administration shall  
12 give a bidding preference consisting of a five percent preference on bids for Missouri-  
13 grown or Missouri-produced agricultural products.

14 4. This section is in addition to, and not in lieu of, the requirements of any other  
15 laws or regulations mandating preference for Missouri-grown foods and products.

16 5. The commissioner of administration shall promulgate all necessary rules and  
17 regulations regarding specifications, quality standards, time of delivery, performance,

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.

18 **bidding preferences, and other relevant matters for the administration of this section.**  
19 **Any rule or portion of a rule, as that term is defined in section 536.010, that is created**  
20 **under the authority delegated in this section shall become effective only if it complies**  
21 **with and is subject to all of the provisions of chapter 536 and, if applicable, section**  
22 **536.028. This section and chapter 536 are nonseverable and if any of the powers vested**  
23 **with the general assembly pursuant to chapter 536 to review, to delay the effective date,**  
24 **or to disapprove and annul a rule are subsequently held unconstitutional, then the grant**  
25 **of rulemaking authority and any rule proposed or adopted after August 28, 2026, shall**  
26 **be invalid and void.**

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