

A-Engrossed
House Bill 2763

Ordered by the House April 8
Including House Amendments dated April 8

Sponsored by Representatives CLEM, CANNON; Representatives BEYER, GILLIAM, KRIEGER, READ, ROBLAN, SCHAUFLEER, STIEGLER

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Permits contracting agency that [*procures*] **uses public funds to procure** goods for public use to give preference to agricultural products produced and transported entirely within state if certain conditions are met. [*Requires Director of Agriculture by rule to set standards for determining whether agricultural products qualify for preference.*]

[*Declares emergency, effective on passage.*]

A BILL FOR AN ACT

1
2 Relating to procurements of agricultural goods.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS chapter 279A.**

5 **SECTION 2. Notwithstanding provisions of law requiring a contracting agency to award**
6 **a contract to the lowest responsible bidder or best proposer or provider of a quotation, a**
7 **contracting agency that uses public funds to procure goods for a public use may give pref-**
8 **erence to procuring an agricultural product that is produced and transported entirely within**
9 **this state if the agricultural product costs not more than 10 percent more than an agricul-**
10 **tural product that is not produced and transported entirely within this state. The contracting**
11 **agency may set a higher percentage by order if the contracting agency, in a written deter-**
12 **mination to support the order, finds good cause to set the higher percentage and explains**
13 **the contracting agency's reasons and evidence for the finding.**

14 **SECTION 3. Section 2 of this 2009 Act applies to contracts first advertised or otherwise**
15 **solicited or, if not advertised or solicited, first entered into on or after January 1, 2010.**

16

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.