

House Bill 2763

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

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 **as introduced**.

Permits contracting agency that procures 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; and declaring an emergency.

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. (1) Notwithstanding provisions of law requiring a contracting agency to**
6 **award a contract to the lowest responsible bidder or best proposer or provider of a quotation,**
7 **a contracting agency that procures goods for a public use may give preference to procuring**
8 **an agricultural product that is produced and transported entirely within this state if the**
9 **agricultural product costs not more than five percent more than an agricultural product that**
10 **is not produced and transported entirely within this state. The contracting agency may make**
11 **a written determination to set a higher percentage.**

12 **(2) The Director of Agriculture by rule shall set standards for determining whether an**
13 **agricultural product is produced and transported entirely within this state.**

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 **SECTION 4. (1) Section 2 of this 2009 Act becomes operative January 1, 2010.**

17 **(2) The Director of Agriculture may take any action before January 1, 2010, that is nec-**
18 **essary to enable the director to exercise, on and after January 1, 2010, all of the duties,**
19 **functions and powers conferred on the director by section 2 of this 2009 Act.**

20 **SECTION 5. This 2009 Act being necessary for the immediate preservation of the public**
21 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**
22 **on its passage.**

23

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.