

Fiscal: Has minimal fiscal impact

Revenue: Has minimal revenue impact

Action Date: 04/13/15

Action: Do Pass With Amendments. (Printed A-Eng.)

Meeting Dates: 04/06, 04/13

Vote:

Yeas: 5 - Beyer, Girod, Monroe, Riley, Thomsen

Prepared By: James LaBar, Committee Administrator

WHAT THE MEASURE DOES:

Eliminates requirement that bidder and proposer for public contract to a local contracting agency demonstrate responsibility by submitting signed affidavit that attests that bidder or proposer complied with tax laws of this state. Requires bidder and proposer for public contract with a local contracting agency to attest being current on state taxes. Becomes operative 91 days after effective date of Act. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Unintended consequences with signed affidavit requirement
- State agency considerations in addition to those of local contracting agencies

EFFECT OF COMMITTEE AMENDMENT:

Eliminates signed affidavit requirement for bidder or proposer for public contract to a local contracting agency, but requires bidder and proposer to attest to being up to date on state taxes.

BACKGROUND:

The requirement for a signed affidavit demonstrating tax responsibility was created by the Legislative Assembly with passage of House Bill 4122 (2014), which required independent quality assurance review of information technology initiatives and the distribution of preliminary and final reports to the State Chief Information Officer, the Director of the Department of Administrative Services, and the appropriate agency director, board, commission or governing body. Provisions applied to executive branch state agencies and public corporations even if an entity is exempt from the Public Contracting Code under ORS 279A.050 (2) or (7). The measure also required any bidder or proposer on a procurement under ORS 279B to submit an affidavit attesting the bidder or proposer has complied with the state and local tax laws.