

## SENATE AMENDMENTS TO SENATE BILL 675

By COMMITTEE ON BUSINESS AND TRANSPORTATION

April 22

1 On page 2 of the printed bill, delete lines 1 through 4 and insert:

2 “(e)(A) Complied with the tax laws of the state or a political subdivision of the state, including  
3 ORS 305.620 and ORS chapters 316, 317 and 318. The bidder or proposer shall demonstrate compli-  
4 ance by submitting a signed affidavit that attests, under penalty of perjury, that the bidder or  
5 proposer has complied with the tax laws of the state or a political subdivision of the state.

6 “(B) The requirement under subparagraph (A) of this paragraph to submit a signed affidavit does  
7 not apply to a bidder or proposer that submits a bid or proposal to a local contracting agency, but  
8 the local contracting agency must require the bidder or proposer to attest, in any way the local  
9 contracting agency deems credible and convenient, that the bidder or proposer complied with the  
10 tax laws of the state or a political subdivision of the state, including ORS 305.620 and ORS chapters  
11 316, 317 and 318.”.

12 Delete lines 15 through 31 and insert:

13 **“SECTION 2. Section 3 of this 2015 Act is added to and made a part of ORS chapter 279B.**

14 **“SECTION 3. Every public contract that is subject to this chapter must require a con-  
15 tractor to attest, with a signed affidavit or otherwise, to having complied with the tax laws  
16 of the state or a political subdivision of the state, including but not limited to ORS 305.620  
17 and ORS chapters 316, 317 and 318, before executing the public contract and must require the  
18 contractor to continue to comply with the tax laws of the state or a political subdivision of  
19 the state during the term of the public contract. The public contract must provide that a  
20 contractor’s failure to comply with the tax laws of the state or a political subdivision of the  
21 state before the contractor executed the public contract or during the term of the public  
22 contract is a default for which a contracting agency may terminate the public contract and  
23 seek damages and other relief available under the terms of the public contract or under ap-  
24 plicable law.**

25 **“SECTION 4. Section 3 of this 2015 Act and the amendments to ORS 279B.110 by section  
26 1 of this 2015 Act apply to procurements that a contracting agency first advertises or oth-  
27 erwise solicits or, if the contracting agency does not advertise or solicit the procurement,  
28 to public contracts that the contracting agency enters into on or after the operative date  
29 specified in section 5 of this 2015 Act.**

30 **“SECTION 5. (1) Section 3 of this 2015 Act and the amendments to ORS 279B.110 by sec-  
31 tion 1 of this 2015 Act become operative 91 days after the effective date of this 2015 Act.**

32 **“(2) The Attorney General, the Director of the Oregon Department of Administrative  
33 Services, the Director of Transportation or a contracting agency that adopts rules under  
34 ORS 279A.065 may take any action before the operative date specified in subsection (1) of this  
35 section that is necessary to enable the Attorney General, the director or the contracting**

1 agency to exercise, on and after the operative date specified in subsection (1) of this section,  
2 all of the duties, functions and powers conferred on the Attorney General, the director or  
3 the contracting agency by section 3 of this 2015 Act and the amendments to ORS 279B.110  
4 by section 1 of this 2015 Act.

5 “SECTION 6. This 2015 Act being necessary for the immediate preservation of the public  
6 peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect  
7 on its passage.”

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