

**PROPOSED AMENDMENTS TO
SENATE BILL 675**

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
3 of the state, including ORS 305.620 and ORS chapters 316, 317 and 318. The
4 bidder or proposer shall demonstrate compliance by submitting a signed af-
5 fidavit that attests, under penalty of perjury, that the bidder or proposer has
6 complied with the tax laws of the state or a political subdivision of the state.

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

14 Delete lines 15 through 31 and insert:

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

17 **“SECTION 3. Every public contract that is subject to this chapter
18 must require a contractor to attest, with a signed affidavit or other-
19 wise, to having complied with the tax laws of the state or a political
20 subdivision of the state, including but not limited to ORS 305.620 and
21 ORS chapters 316, 317 and 318, before executing the public contract and
22 must require the contractor to continue to comply with the tax laws**

1 of the state or a political subdivision of the state during the term of
2 the public contract. The public contract must provide that a
3 contractor's failure to comply with the tax laws of the state or a pol-
4 itical subdivision of the state before the contractor executed the public
5 contract or during the term of the public contract is a default for
6 which a contracting agency may terminate the public contract and
7 seek damages and other relief available under the terms of the public
8 contract or under applicable law.

9 **SECTION 4.** Section 3 of this 2015 Act and the amendments to ORS
10 279B.110 by section 1 of this 2015 Act apply to procurements that a
11 contracting agency first advertises or otherwise solicits or, if the
12 contracting agency does not advertise or solicit the procurement, to
13 public contracts that the contracting agency enters into on or after
14 the operative date specified in section 5 of this 2015 Act.

15 **SECTION 5.** (1) Section 3 of this 2015 Act and the amendments to
16 ORS 279B.110 by section 1 of this 2015 Act become operative 91 days
17 after the effective date of this 2015 Act.

18 **(2)** The Attorney General, the Director of the Oregon Department
19 of Administrative Services, the Director of Transportation or a con-
20 tracting agency that adopts rules under ORS 279A.065 may take any
21 action before the operative date specified in subsection (1) of this sec-
22 tion that is necessary to enable the Attorney General, the director or
23 the contracting agency to exercise, on and after the operative date
24 specified in subsection (1) of this section, all of the duties, functions
25 and powers conferred on the Attorney General, the director or the
26 contracting agency by section 3 of this 2015 Act and the amendments
27 to ORS 279B.110 by section 1 of this 2015 Act.

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

