

HB 2094 STAFF MEASURE SUMMARY

House Committee On Rules

Prepared By: Josh Nasbe, Counsel

Meeting Dates: 1/28

WHAT THE MEASURE DOES:

Authorizes contracting agency, when evaluating bid or proposal subject to Public Contracting Code, to consider whether bidder or proposer owes debt to state. Takes effect 91 days after sine die. Becomes operative on January 1, 2020.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

In the course of awarding public contracts, contracting agencies are required by the Public Contracting Code to make a determination of whether a bidder or proposer is "responsible." This determination requires the bidder or proposer to demonstrate a number of factors to the contracting agency, including that the bidder or proposer has the appropriate resources and skills to complete the contract, has a satisfactory record of integrity and has complied with the tax laws in this state. The results of this determination may dictate whether a bidder or proposer is awarded a contract. House Bill 2094 authorizes contracting agencies to conduct a separate analysis and, as part of the evaluation of a bid or proposal, "consider" whether the bidder or proposer owes a debt to the state.