

FIRST REGULAR SESSION

HOUSE BILL NO. 147

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES CAUTHORN (Sponsor),
KELLY (24) AND HOUGHTON (Co-sponsors).

0027L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 34, RSMo, by adding thereto one new section relating to state purchasing.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 34, RSMo, is amended by adding thereto one new section, to be
2 known as section 34.072, to read as follows:

**34.072. 1. Notwithstanding any other provision of law to the contrary, the
2 commissioner of administration or any agent of the state with purchasing power shall
3 purchase forest products, bricks, or aluminum produced in this state unless there is an
4 emergency situation or a narrowly tailored, compelling state interest in purchasing out-of-
5 state forest products, bricks, or aluminum. The raw materials for the forest products,
6 bricks, or aluminum may be mined or extracted outside of this state so long as the
7 production and refinement of the forest products, bricks, or aluminum for final use is
8 substantially conducted within this state.**

9 **2. The price limitations under this chapter shall not apply to this section, and there
10 shall be no waiver of the requirements of this section except as provided in subsection 1 of
11 this section. The competitive bidding and proposal sections of this chapter shall apply
12 insofar as the sections are not inconsistent with subsection 1 of this section.**

13 **3. The state of Missouri finds and declares that it is acting as a market participant
14 for the benefit of the citizens of this state and that this section is essential to the welfare of
15 the citizens of this state.**

16 **4. The commissioner of administration shall promulgate rules to implement the
17 provisions of this section. Any rule or portion of a rule, as that term is defined in section**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended
to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **536.010, that is created under the authority delegated in this section shall become effective**
19 **only if it complies with and is subject to all of the provisions of chapter 536 and, if**
20 **applicable, section 536.028. This section and chapter 536 are nonseverable and if any of**
21 **the powers vested with the general assembly under chapter 536 to review, to delay the**
22 **effective date, or to disapprove and annul a rule are subsequently held unconstitutional,**
23 **then the grant of rulemaking authority and any rule proposed or adopted after August 28,**
24 **2011, shall be invalid and void.**

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