

SECOND REGULAR SESSION

# HOUSE BILL NO. 1685

## 96TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES FALLERT (Sponsor), ATKINS, HUMMEL, TAYLOR,  
SCHIEFFER, SMITH (71), MAY, SPRENG AND MEADOWS (Co-sponsors).

5025L.011

D. ADAM CRUMBLISS, Chief Clerk

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### AN ACT

To repeal sections 34.070 and 34.073, RSMo, and to enact in lieu thereof two new sections relating to state purchasing.

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

Section A. Sections 34.070 and 34.073, RSMo, are repealed and two new sections  
2 enacted in lieu thereof, to be known as sections 34.070 and 34.073, to read as follows:

34.070. In making purchases, the commissioner of administration or any agent of the  
2 state with purchasing power shall give preference to all commodities and tangible personal  
3 property manufactured, mined, produced, processed, or grown within the state of Missouri, to  
4 all new generation processing entities defined in section 348.432, except new generation  
5 processing entities that own or operate a renewable fuel production facility or that produce  
6 renewable fuel, and to all firms, corporations or individuals doing business as Missouri firms,  
7 corporations or individuals, when quality is equal or better and delivered price is **no greater**  
8 **than ten percent higher**, the same, or less. The commissioner of administration or any agent  
9 of the state with purchasing power may also give such preference whenever competing bids, in  
10 their entirety, are [comparable] **no greater than ten percent higher, the same, or less**. For  
11 purposes of this section, "commodities" shall include any agricultural product that has been  
12 processed or otherwise had value added to it in this state.

34.073. 1. In letting contracts for the performance of any job or service, all agencies,  
2 departments, institutions, and other entities of this state and of each political subdivision of this  
3 state shall give preference to all firms, corporations, or individuals doing business as Missouri  
4 firms, corporations, or individuals, or which maintain Missouri offices or places of business,

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.

5 when the quality of performance promised is equal or better and the price quoted is **no greater**  
6 **than ten percent higher**, the same, or less. The commissioner of administration [may] **shall**  
7 also give such preference whenever competing bids, in their entirety, are comparable.

8           2. Notwithstanding the requirements of subsection 1 of this section, the commissioner  
9 of administration shall give further preference as required by section 34.076.

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