

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1510

By: Hall

AS INTRODUCED

An Act relating to the Energy Discrimination Elimination Act of 2022; amending Section 5, Chapter 231, O.S.L. 2022 (74 O.S. Supp. 2023, Section 12005), which relates to municipal and state agency contracts; deleting definition; modifying application of certain contract requirements; updating statutory reference; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY Section 5, Chapter 231, O.S.L. 2022 (74 O.S. Supp. 2023, Section 12005), is amended to read as follows:

Section 12005. A. ~~As used in this section only of the Energy Discrimination Elimination Act of 2022, "governmental entity" means a state agency or political subdivision of this state.~~

B. 1. ~~Except for paragraph 4 of this subsection as provided in subsection B of this section,~~ as provided in subsection B of this section, this section applies only to a contract that:

- a. is between a ~~governmental entity~~ state agency and a company with ten or more full-time employees, and

1           b. ~~will pay a company~~ provides terms for payment of One  
2           Hundred Thousand Dollars (\$100,000.00) or more ~~over~~  
3           ~~the term of the contract~~ by a state agency to a  
4           company that is to be paid wholly or partly from  
5           public funds of the ~~governmental entity~~ state agency;  
6           provided, however, the provisions of this paragraph  
7           shall apply separately to all companies in a multiple  
8           party contract.

9           2. Except as provided by ~~paragraph 4 of this~~ subsection B of  
10 this section, a ~~governmental entity~~ state agency shall not enter  
11 into a contract with a company for goods or services unless the  
12 contract contains a written verification from the company that it:

- 13           a. does not boycott energy companies, and  
14           b. will not boycott energy companies during the term of  
15           the contract.

16           3. Except as provided by ~~paragraph 4 of this~~ subsection B of  
17 this section, a ~~governmental entity~~ state agency shall not enter  
18 into a contract for goods or services with a listed financial  
19 company under Section ~~3 of this act~~ 12003 of this title.

20           ~~4. B.~~ Paragraphs 2 and 3 of ~~this~~ subsection A of this section  
21 shall not apply to:

22           ~~a. a governmental entity~~ 1. A state agency that determines the  
23 requirements of paragraphs 2 or 3 of ~~this~~ subsection A of this  
24 section are inconsistent with the ~~governmental entity's~~

1 constitutional or statutory duties of the agency related to the  
2 issuance, incurrence, or management of debt obligations or the  
3 deposit, custody, management, borrowing, or investment of funds,  
4 and; or

5 ~~b. a~~ 2. A contract ~~for which that~~ a ~~governmental body~~ state  
6 agency determines the supplies or services to be provided are not  
7 otherwise reasonably available from a company that is not a listed  
8 financial company under Section ~~3 of this act~~ 12003 of this title.

9 SECTION 2. It being immediately necessary for the preservation  
10 of the public peace, health or safety, an emergency is hereby  
11 declared to exist, by reason whereof this act shall take effect and  
12 be in full force from and after its passage and approval.

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