

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 1980

By: Newton

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5
6 AS INTRODUCED

7 An Act relating to public building and public works;
8 amending 61 O.S. 2021, Section 104, as amended by
9 Section 16, Chapter 238, O.S.L. 2022 (61 O.S. Supp.
10 2022, Section 104), which relates to bid notices;
11 providing exception for municipal governments; and
12 providing an effective date.

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

14 SECTION 1. AMENDATORY 61 O.S. 2021, Section 104, as
15 amended by Section 16, Chapter 238, O.S.L. 2022 (61 O.S. Supp. 2022,
16 Section 104), is amended to read as follows:

17 Section 104. A. All proposals to award public construction
18 contracts shall be made equally and uniformly known by the awarding
19 public agency to all prospective bidders and the public in the
20 following manner:

21 1. Notice thereof shall be given electronically and by
22 publication in a newspaper of general circulation and published in
23 the county where the work, or the major part of it, is to be done,
24 such notice by publication to be published in two consecutive weekly

1 issues of the newspaper, with the first publication thereof to be at
2 least twenty-one (21) days prior to the date set for opening bids;
3 and

4 2. Notice thereof shall be sent to one in-state trade or
5 construction publication for their use and information whenever the
6 estimated cost of the public construction contract exceeds One
7 Hundred Thousand Dollars (\$100,000.00) or the cost of the
8 construction management trade contract or subcontract exceeds Fifty
9 Thousand Dollars (\$50,000.00); provided, however, this section shall
10 not be construed to require the publication of the notice in such
11 trade or construction publication or the requirement to provide the
12 notice to more than one in-state trade or construction publication
13 or to any out-of-state trade or construction publications.

14 B. Any municipal government that has made an attempt to comply
15 with a newspaper publication requirement pursuant to subsection A of
16 this section shall be deemed in compliance with the publication
17 requirement if the newspaper fails to publish the notice and the
18 failed publication was due to no fault of the municipality.

19 SECTION 2. This act shall become effective November 1, 2023.
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