

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 POLICY COMMITTEE  
4 RECOMMENDATION

5 FOR

6 HOUSE BILL NO. 2168

By: Pfeiffer

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8 POLICY COMMITTEE RECOMMENDATION

9 An Act relating to state government; amending 61 O.S.  
10 2021, Section 83, which relates to prohibited terms  
11 in bid specifications for public improvement  
12 projects; modifying prohibited terms; and providing  
13 an effective date.

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

15 SECTION 1. AMENDATORY 61 O.S. 2021, Section 83, is  
16 amended to read as follows:

17 Section 83. A public agency awarding any contract for the  
18 construction, repair, remodeling, or demolition of a public  
19 improvement or obligating funds pursuant to such a contract, shall  
20 ensure that neither the awarding public agency nor any construction  
21 manager acting on behalf of the public agency shall, in its bid  
22 specifications, project agreements, or other controlling documents,  
23 include:

1       ~~1. A term that requires, prohibits, encourages, or discourages~~  
2 ~~bidders, contractors, or subcontractors from entering into or~~  
3 ~~adhering to agreements with a collective bargaining organization~~  
4 ~~relating to the construction project or other related construction~~  
5 ~~projects; and~~

6       2. A term that discriminates against bidders, contractors, or  
7 subcontractors based on the status as a party or nonparty to, or the  
8 willingness or refusal to enter into, an agreement with a collective  
9 bargaining organization relating to the construction project or  
10 other related construction projects.

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