

1 **SENATE FLOOR VERSION**

2 April 23, 2025

3 **AS AMENDED**

4 ENGROSSED HOUSE

5 BILL NO. 2043

6 By: Archer of the House

7 and

8 Hall of the Senate

9 [Energy Discrimination Elimination Act of 2022 -
10 municipal and state agency contracts - application of
11 contract requirements]

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

13 SECTION 1. AMENDATORY Section 5, Chapter 231, O.S.L.
14 2022 (74 O.S. Supp. 2024, Section 12005), is amended to read as
15 follows:

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

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

22 a. is between a ~~governmental entity~~ state agency and a
23 company with ten or more full-time employees, and
24

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 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
10 April 23, 2025 - DO PASS AS AMENDED

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