

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 SENATE BILL 1212

By: Hicks

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6 AS INTRODUCED

7 An Act relating to the purchase of state property;
8 defining terms; establishing state entity purchasing
9 requirements for certain goods or equipment;
10 providing exceptions; creating a differential pricing
11 preference for the cost of goods manufactured or
12 produced in the United States of America; providing
13 for codification; and providing an effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 53 of Title 61, unless there is
17 created a duplication in numbering, reads as follows:

18 A. As used in this section:

19 1. "Manufactured or produced in the United States of America"
20 means a product that has all manufacturing processes occurring in
21 the United States. All components of the product must be of United
22 States origin. A component is considered to be a product of United
23 States origin if all of its manufacturing processes occur in the
24 United States, regardless of the origin of its subcomponents; and

1 2. "Public building or public work" means any structure,
2 building, highway, waterway, street, bridge, transit system,
3 airport, or other betterment, work or improvement whether of a
4 permanent or temporary nature and whether for governmental or
5 proprietary use. The term includes, but is not limited to, any
6 railway, street railway, subway, elevated and passenger and rail
7 rolling stock, self-propelled cars, gallery cars, locomotives,
8 passenger buses, wires, poles and equipment for electrification of a
9 transit system, rails, tracks, roadbeds, guideways, elevated
10 structures, buildings, schools, hospitals, stations, terminals,
11 docks, shelters, and repairs to any such public building or public
12 work.

13 B. Any agency, board, commission, office, institution, or other
14 governmental body of this state, or any person making purchases on
15 behalf of such entities, when making purchases of goods or equipment
16 for the construction, reconstruction, alteration, repair,
17 improvement, or maintenance of a public building or public work,
18 shall purchase such goods or equipment manufactured or produced in
19 the United States of America as required by law, unless:

20 1. A foreign-made product is substantially cheaper and of equal
21 quality;

22 2. A foreign-made product is of substantially superior quality
23 to competing American products and is sold at a comparable price; or
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1 3. A reciprocal trade agreement or treaty has been negotiated
2 by this state or by the United States on behalf of or including this
3 state with a foreign nation or government for nondiscriminatory
4 governmental procurement practices or policies with such foreign
5 nation or government.

6 C. The state or any political subdivision of the state may give
7 a two-and-one-half percent differential pricing preference to the
8 cost of goods and equipment manufactured or produced in the United
9 States of America over foreign-made products; provided, such pricing
10 preferences shall not be for goods or equipment of inferior quality
11 to those offered from outside the United States of America. Such
12 pricing preference shall not be in addition to any other preference
13 for which such goods or equipment may be eligible pursuant to law.

14 SECTION 2. This act shall become effective November 1, 2024.

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