

RÉSUMÉ DIGEST

ACT 155 (HB 245)

2019 Regular Session

Hodges

Existing law provides for the methods and requirements of procurement that a state entity must use for contracts and purchases under the Procurement Code.

New law prohibits executive branch agencies from executing procurement contracts with vendors who engage in a boycott of Israel and authorizes those agencies to terminate any procurement contract with a vendor who engages in a boycott of Israel during the term of the contract.

New law requires potential vendors to certify in writing when a bid is submitted or when a procurement contract is awarded that the vendor is not currently and will not in the future engage in a boycott of Israel.

New law requires all competitive sealed bids and proposals issued for procurement contracts with executive branch agencies to include text certifying that the bidder or proposer has not refused to conduct business activities or taken other negative actions against a person or entity engaging in commercial transactions in Israel or Israeli-controlled territories. Further require the bidder or proposer to certify that they have not retaliated against any person or entity for reporting actions related to these relations.

New law provides that the state reserves the right to reject or terminate bids or proposals if the certification is found to be false.

New law requires the commissioner of administration to oversee implementation of new law and authorizes the commissioner to promulgate any necessary regulations. New law authorizes the commissioner to waive application of new law for a procurement contract if determined that compliance is not practicable or in the best interest of the state.

New law exempts obligations of executive branch agencies under state or federal law, procurement contracts with a value of less than \$100,000, and vendors with fewer than five employees from the provisions of new law.

New law authorizes for severability if any provisions or items in new law are held invalid.

Effective upon signature of governor (June 6, 2019).

(Adds R.S. 39:1602.1)