

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1072

Introduced by Linehan, 39.

Read first time January 17, 2018

Committee: Government, Military and Veterans Affairs

- 1 A BILL FOR AN ACT relating to public lettings and contracts; to amend
- 2 section 73-101.01, Reissue Revised Statutes of Nebraska; to change a
- 3 preference in awarding public contracts and eliminate reciprocal
- 4 preference provisions; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 73-101.01, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 73-101.01 When a public contract is to be awarded to the lowest
4 responsible bidder, preference shall be given to purchasing Nebraska
5 products and goods and services from a resident bidder over a nonresident
6 bidder if the bid submitted by the resident bidder is comparable in price
7 to a bid submitted by a nonresident bidder and otherwise meets the
8 required specifications ~~a resident bidder shall be allowed a preference~~
9 ~~over a nonresident bidder from a state which gives or requires a~~
10 ~~preference to bidders from that state. The preference shall be equal to~~
11 ~~the preference given or required by the state of the nonresident bidder.~~
12 Resident bidder as used in sections 73-101.01 and 73-101.02 means shall
13 ~~mean~~ any person, partnership, ~~foreign or domestic~~ limited liability
14 company, association, ~~or foreign or domestic~~ corporation, or other
15 business entity authorized to engage in business in the State of Nebraska
16 and whose principal place of business is in this state, including a
17 contractor whose ultimate parent company or majority owner has their
18 principal place of business in this state ~~which has met the residency~~
19 ~~requirement of the state of the nonresident bidder necessary for~~
20 ~~receiving the benefit of that state's preference law on the date when any~~
21 ~~bid for a public contract is first advertised or announced or has had a~~
22 ~~bona fide establishment for doing business within this state for the~~
23 ~~length of time established by the state of the nonresident bidder~~
24 ~~necessary for receiving the benefit of that state's preference law on the~~
25 ~~date when any bid for a public contract is first advertised or announced.~~
26 Any contract entered into without compliance with sections 73-101.01 and
27 73-101.02 shall be null and void.

28 Sec. 2. Original section 73-101.01, Reissue Revised Statutes of
29 Nebraska, is repealed.