

SECOND REGULAR SESSION

HOUSE BILL NO. 1446

92ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JOHNSON (47).

Read 1st time February 10, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

4499L.011

AN ACT

To amend chapter 8, RSMo, by adding thereto one new section relating to project plans and specifications of state facilities.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 8, RSMo, is amended by adding thereto one new section, to be known as section 8.327, to read as follows:

8.327. 1. The state of Missouri, any of its political subdivisions, or any institution supported in whole or in part by public funds, shall encourage the distribution of plans and specifications for the construction, remodel, or repair of their facilities to all plan rooms and electronic plan rooms in order to encourage open competition, diversity, and the lowest responsible bids for such projects.

2. No public body, board, commission, officer, official, member, agent, or representative authorized to contract for construction, alteration, or repair projects, or for such projects performed for any institution supported in whole or in part by public funds, shall enter into any contract, agreement, or understanding that would restrain trade or restrict the sources or availability of plans and specifications, or limit the distribution of plans and specifications to contractors, subcontractors, and suppliers to a single or limited number of reprographic firms, plan rooms, or electronic plan rooms, unless access to the plans and specifications for the project is expressly limited by law or is otherwise restricted by a duly-appointed authority of the state of Missouri, or any of its political subdivisions, or any institution supported in whole or in part by public funds because it has been determined that the nature of the project is such that unrestricted access would give rise to legitimate concerns for the health, safety, and security of the public.

3. The state, any of its political subdivisions, and any institution supported in whole

19 or in part by public funds may enter into a contract, agreement, or understanding in which
20 a single or limited number of reprographic firms, plan rooms, or electronic plan rooms
21 may serve as the public owner's source for printed project plans, specification, and
22 addenda as long as all applicable laws regarding advertising and bidding for that service
23 are met and as long as the public owner's source for such bidding documents provides
24 them to other plan rooms and electronic plan rooms without delay or cost in a format that
25 permits further redistribution in paper and electronic form so that such bid documents can
26 be distributed as widely as possible for the benefit of the public owner. Any clause or
27 provision in an existing contract, agreement, or understanding entered into by the state,
28 any of its political subdivisions, or any institution supported in whole or in part by public
29 funds that would restrict the distribution of plans and specifications to a single or limited
30 number of reprographic firms, plan rooms, or electronic plan rooms sources shall not be
31 renewed.