

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 HOUSE BILL 2043

By: Archer of the House

5 and

6 Hall of the Senate

9 AS INTRODUCED

10 An Act relating to the Energy Discrimination
11 Elimination Act of 2022; amending Section 5, Chapter
12 231, O.S.L. 2022 (74 O.S. Supp. 2024, Section 12005),
13 which relates to municipal and state agency
 contracts; deleting definition; modifying application
 of certain contract requirements; updating statutory
 reference; and declaring an emergency.

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

17 SECTION 1. AMENDATORY Section 5, Chapter 231, O.S.L.

18 2022 (74 O.S. Supp. 2024, Section 12005), is amended to read as
19 follows:

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

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

- 4 a. is between a ~~governmental entity state agency~~ and a
5 company with ten or more full-time employees, and
6 b. ~~will pay a company provides terms for payment of One~~
7 Hundred Thousand Dollars (\$100,000.00) or more ~~ever~~
8 ~~the term of the contract by a state agency to a~~
9 company that is to be paid wholly or partly from
10 public funds of the ~~governmental entity state agency~~;
11 provided, however, the provisions of this paragraph
12 shall apply separately to all companies in a multiple
13 party contract.

14 2. Except as provided by ~~paragraph 4 of this subsection B of~~
15 this section, a ~~governmental entity state agency~~ shall not enter
16 into a contract with a company for goods or services unless the
17 contract contains a written verification from the company that it:

- 18 a. does not boycott energy companies, and
19 b. will not boycott energy companies during the term of
20 the contract.

21 3. Except as provided by ~~paragraph 4 of this subsection B of~~
22 this section, a ~~governmental entity state agency~~ shall not enter
23 into a contract for goods or services with a listed financial
24 company under Section 3 of this act 12003 of this title.

1 4. B. Paragraphs 2 and 3 of ~~this subsection A of this section~~

2 shall not apply to:

3 a. ~~a governmental entity~~ 1. A state agency that determines the
4 requirements of paragraphs 2 or 3 of ~~this subsection A of this~~
5 ~~section~~ are inconsistent with the ~~governmental entity's~~
6 constitutional or statutory duties of the agency related to the
7 issuance, incurrence, or management of debt obligations or the
8 deposit, custody, management, borrowing, or investment of funds,
9 and; or

10 b. ~~a 2. A contract for which that a governmental body state~~
11 ~~agency~~ determines the supplies or services to be provided are not
12 otherwise reasonably available from a company that is not a listed
13 financial company under Section ~~3 of this act~~ 12003 of this title.

14 SECTION 2. It being immediately necessary for the preservation
15 of the public peace, health or safety, an emergency is hereby
16 declared to exist, by reason whereof this act shall take effect and
17 be in full force from and after its passage and approval.

18

19 COMMITTEE REPORT BY: COMMITTEE ON ENERGY AND NATURAL RESOURCES
OVERSIGHT, dated 02/26/2025 - DO PASS.