

JAN 14 2005  
STATE GOVERNMENT

HOUSE FILE 2005  
BY JACOBS and GRUNDBERG

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to governmental preferences for services from  
2 service providers located within the state of Iowa and making  
3 penalties applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2005

1 Section 1. Section 73.1, Code 2001, is amended to read as  
2 follows:

3 73.1 PREFERENCE -- CONDITIONS.

4 Every commission, board, committee, officer or other  
5 governing body of the state, or of any county, township,  
6 school district or city, and every person acting as  
7 contracting or purchasing agent for any such commission,  
8 board, committee, officer or other governing body shall use  
9 only those products and provisions grown and coal produced  
10 within the state of Iowa and those services from service  
11 providers located within the state of Iowa, when they are  
12 found in marketable quantities in the state and are of a  
13 quality reasonably suited to the purpose intended, and can be  
14 secured without additional cost over foreign products and  
15 services or products ~~of~~ and services from producers and  
16 providers in other states. This section shall apply to  
17 horticultural products grown in this state even if the  
18 products are not in the stage of processing that the agency  
19 usually purchases the product. However, this section does not  
20 apply to a school district purchasing food while the school  
21 district is participating in the federal school lunch program.

22 Sec. 2. Section 73.2, Code 2001, is amended to read as  
23 follows:

24 73.2 ADVERTISEMENTS FOR BIDS -- FORM.

25 1. All requests hereafter made for bids and proposals for  
26 materials, products, supplies, provisions, and other needed  
27 articles, and services to be purchased at public expense,  
28 shall be made in general terms and by general specifications  
29 and not by brand, trade name or other individual mark. All  
30 such requests and bids shall contain therein a paragraph in  
31 easily legible print, reading as follows:

32 By virtue of statutory authority, a preference will be  
33 given to services from service providers located within the  
34 state of Iowa and products and provisions grown and coal  
35 produced within the state of Iowa.

1 2. Any service provider located within the state of Iowa  
2 and any producer or provider of products and provisions grown  
3 and coal produced within the state of Iowa shall be allowed to  
4 respond to any request for bids or proposals for materials,  
5 products, supplies, provisions, other needed articles, and  
6 services provided by the producer or provider.

7 EXPLANATION

8 This bill provides for governmental preferences for  
9 services from service providers located within the state of  
10 Iowa when the services are found in marketable quantities in  
11 the state and are of a quality reasonably suited to the  
12 purpose intended, and can be secured without additional cost  
13 over foreign services or services from providers in other  
14 states. The bill also provides that any service provider  
15 located within the state of Iowa and any producer or provider  
16 of products and provisions grown and coal produced within the  
17 state of Iowa shall be allowed to respond to any request for  
18 bids or proposals for materials, products, supplies,  
19 provisions, other needed articles, and services provided by  
20 the producer or provider.

21 A person who violates the preference provisions is guilty  
22 of a simple misdemeanor pursuant to Code section 73.5.

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