

HOUSE BILL NO. HB0063

Public works contracts-resident preferences-2.

Sponsored by: Joint Corporations, Elections and Political
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to public works contracts; modifying
2 requirements for establishment of residency for vendor
3 preferences; modifying definitions; modifying limitations
4 on subcontracting; and providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 16-6-101(a)(i)(intro), (A), (B), (ii)
9 and (iii), 16-6-102(d)(intro), 16-6-103 and 16-6-106 are
10 amended to read:

11

12 **16-6-101. Definitions.**

13

14 (a) As used in this act:

15

1 (i) "Resident" means a person, partnership,
2 limited partnership, registered limited partnership,
3 registered limited liability company or corporation
4 certified as a resident by the department of employment
5 prior to bidding upon the contract, subject to the
6 following criteria: ~~and subject to W.S. 16-6-102(d):~~

7
8 (A) Any person who has been a resident of
9 the state for one (1) year or more immediately prior to
10 bidding upon the contract; or

11
12 (B) A partnership, ~~or association, each~~
13 ~~member of which has been a resident of~~ limited partnership,
14 registered limited partnership, registered limited
15 liability company or corporation which has maintained an
16 office and place of business within the state for one (1)
17 year or more immediately prior to bidding upon the
18 contract. ~~+~~

19
20 (ii) ~~"Principal office" and "principal place of~~
21 ~~business" shall have the meaning as the department of~~
22 ~~employment determines, consistent with the purpose of this~~
23 ~~act, by rule and regulation~~ "Office and place of business"

1 means a headquarters or administrative center where
2 business activities are conducted or controlled;
3

4 (iii) "This act" means W.S. 16-6-101 through
5 ~~16-6-119~~ 16-6-121.
6

7 **16-6-102. Resident contractors; preference limitation**
8 **with reference to lowest bid; decertification; denial of**
9 **application for residency.**
10

11 (d) The department of employment shall deny or revoke
12 a certificate of residency ~~even~~ if the applicant or
13 certificate holder is not in compliance with W.S.
14 16-6-101(a) (i) ~~., if the department finds.~~
15

16 **16-6-103. Limitation on subcontracting by resident**
17 **contractors.**
18

19 A successful resident bidder shall not subcontract more
20 than ~~twenty percent (20%)~~ fifty percent (50%) of the work
21 covered by his contract to nonresident contractors.
22

23 **16-6-106. Statement of Wyoming materials preference**
24 **in requests for bids and proposals.**

1

2 All requests for bids and proposals for materials,
3 supplies, agricultural products, equipment, machinery and
4 provisions for the ~~construction~~, maintenance and upkeep of
5 every state, county, municipal, community college district
6 or school district institution shall contain the words
7 "preference is hereby given to materials, supplies,
8 agricultural products, equipment, machinery and provisions
9 produced, manufactured, ~~supplied~~ or grown in Wyoming, or
10 supplied by a resident of the state, quality being equal to
11 articles offered by the competitors outside of the state".

12

13 **Section 2.** W.S. 16-6-101(a)(i)(C) through (G) and
14 16-6-102(d)(i) are repealed.

15

16 **Section 3.** This act is effective July 1, 2006.

17

18 (END)