

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Mr. Downing

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to procurement in the Commonwealth.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Mr. Downing

Berkshire, Hampshire and Franklin

Theodore C. Speliotis

13th Essex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO PROCUREMENT IN THE COMMONWEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 7 of the General Laws is hereby amended by adding the following section:-

2 SECTION 22N. (a) Notwithstanding any general or special law to the contrary and to the extent
3 permitted by federal law, a state agency or authority shall establish a preference for products or services
4 by businesses with its principal place of business in the commonwealth as defined in section 3A of
5 chapter 23A.

6 SECTION 2. Chapter 30B of the General Laws is hereby amended by adding the following section:-

7 SECTION 21. (a) Notwithstanding any general or special law to the contrary and to the extent
8 permitted by federal law, a governmental body may, by a majority vote, establish a preference for
9 products or services by businesses with its principal place of business in the commonwealth as defined
10 in section 3A of chapter 23A.

11 (b) Wherever a governmental body by a majority vote establishes a preference for the procurement of
12 such products or services by businesses with its principal place of business in the commonwealth, the
13 procurement officer responsible for procuring products and services on behalf of the governmental
14 body shall effectuate such preference in: (i) advertising for bids, contracts or otherwise and making

15 reasonable efforts to facilitate the purchase of such products or services; and (ii) purchasing products or
16 services by businesses with its principal place of business in the Commonwealth, unless the price of such
17 goods or services exceed, by more than 10 per cent, the price of such goods or services produced
18 outside of the commonwealth.
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