

2016 Regular Session

SENATE BILL NO. 288

BY SENATOR APPEL

PUBLIC CONTRACTS. Prohibits a political subdivision from adopting more restrictive requirements and provides for state preemption. (8/1/16)

1 AN ACT

2 To enact R.S. 38:2211.1 and to repeal R.S. 38:2225.1(B)(2), relative to public contracts; to  
3 provide relative to the awarding and performance of contracts for public works; to  
4 provide for preemption of state law; to provide certain terms and conditions; and to  
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 38:2211.1 is hereby enacted to read as follows:

8 **§2211.1. Preemption**

9 **No political subdivision shall adopt an ordinance setting forth**  
10 **requirements more restrictive than the provisions of this Chapter for the**  
11 **awarding and performance of a public contract. This prohibition shall include**  
12 **an ordinance mandating local or other preferential hiring requirements, not**  
13 **otherwise provided by state law, for a bidder or contractor. Any ordinance in**  
14 **violation of this Section on its effective date or adopted thereafter shall be**  
15 **deemed preempted by state law and be null and void.**

16 Section 3. R.S. 38:225.1(B)(2) is hereby repealed.

