

2016 Regular Session

SENATE BILL NO. 449

BY SENATOR BISHOP

PUBLIC CONTRACTS. Provides for local governing authorities to require set asides in local contracts to include a certain number of local hires. (8/1/16)

1 AN ACT

2 To amend and reenact R.S. 38:2225.1(B)(2), relative to public works contracts in which the
3 state or a political subdivision is a participant; to provide for preferences of persons
4 employed as a condition of letting contracts; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 38:2225.1(B)(2) is hereby amended and reenacted to read as follows:

7 §2225.1. Contracts in which the state or political subdivision are participants;
8 preferences; assistance; exclusions

9 * * *

10 B.(1) * * *

11 (2) In addition, ~~when the governing authority of Calcasieu Parish may,~~ upon
12 a finding that there is ~~substantial~~ cause to counteract ~~grave~~ economic and social ills;
13 **by the governing authority of a parish or municipality in Louisiana, such parish**
14 **or municipality may** require, as a condition of letting contracts for public works to
15 be paid for **in whole, or in part,** ~~solely~~ with parish **or municipal** funds, that not less
16 than fifty percent of the persons employed in fulfilling that contract be residents of
17 ~~Calcasieu Parish~~ **such parish or municipality.** Notwithstanding the provisions of

1 this Paragraph, management personnel and persons whose skills are unavailable for
2 performing the work may be excluded from the requirements of this Paragraph, as
3 said governing authority may determine and provide for in the bid specifications.

4 * * *

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Michael Bell.

	DIGEST	
SB 449 Original	2016 Regular Session	Bishop

Present law provides that when a participating state agency lets a contract for a public works project that is to be administered by or paid for, in whole or in part by state funds, the agency may require as a condition of letting the contract that not less than 80% of the persons employed in fulfilling that contract be residents of the state.

Present law provides that when a participating political subdivision lets a contract for a public works project that is to be administered by or paid for, in whole or in part, by said political subdivision's funds, the governing authority of the political subdivision may require, as a condition of letting the contract, that not less than 80% of the persons employed in fulfilling that contract be residents of the state.

Proposed law retains present law.

Present law further provides that when the governing authority of Calcasieu Parish finds that there is substantial cause to counteract grave economic and social ills, it may require, as a condition of letting contracts for public works to be paid for solely with parish funds, that not less than 50% of the persons employed in fulfilling the contract be residents of the parish. Further provides that management personnel and person whose skills are unavailable for performing the work may be excluded from the requirements of present law, as determined by the governing authority and provided for in the bid specifications.

Proposed law expands present law by:

- (1) Providing that such authority resides with the governing authority of any parish or municipality in Louisiana.
- (2) Removing the requirement that the cause finding for the requirement be substantial and that the possible economic and social ills be grave.
- (3) Applying also to public works projects that are funded in part with parish or municipal funds.

Effective August 1, 2016.

(Amends R.S. 38:2225.1(B)(2))