

ACT No. 373

2016 Regular Session

HOUSE BILL NO. 1044

BY REPRESENTATIVES ZERINGUE AND ANDERS

1 AN ACT

2 To amend and reenact R.S. 38:2290, relative to the construction of public buildings or
3 projects; to provide for exceptions to the prohibition on closed specification of a
4 product used in the construction of a public building or project; and to provide for
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 38:2290 is hereby amended and reenacted to read as follows:

8 §2290. Closed specification prohibited; exception

9 A. No architect or engineer, either directly or indirectly, shall submit a
10 closed specification of a product to be used in the construction of a public building
11 or project, unless all products other than the one specified would detract from the
12 utility of the building, or except in those cases where a particular material is required
13 to preserve the historical integrity of the building or the uniform appearance of an
14 existing structure, or is required as part of an integrated coastal protection project,
15 as defined in R.S. 49:214.2(11)- , for the evaluation of new and improved integrated
16 coastal protection technologies.

17 B. A closed specification shall not be submitted or authorized when any
18 person or group of persons possess the right to exclusive distribution of the specified
19 product, unless the product is required to expand or extend an existing system
20 presently operating at the facility or site, or if a specified product is required as part
21 of an integrated coastal protection project, as defined in R.S. 49:214.2(11)- ,for the
22 evaluation of new and improved integrated coastal protection technologies.

1 However, no such closed specifications shall be allowed until rules have been
2 promulgated by the division of administration after oversight by the Senate and
3 House Committees on Transportation, Highways and Public Works and other
4 appropriate legislative committees.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____