

Introduced by

Legislative Management

(Advisory Commission on Intergovernmental Relations)

1 A BILL for an Act to amend and reenact section 48-01.2-03 of the North Dakota Century Code,
2 relating to specifying materials used in a public improvement.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 48-01.2-03 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **48-01.2-03. Specified brands, marks, names, or patented articles may not be**
7 **specified.**

8 A governing body, in specifying materials to be used for a public improvement or in plans or
9 specifications for a public improvement, may not request bids for any article of a specified or
10 copyrighted brand or name, the product of any one manufacturer, or any patented apparatus or
11 appliance when the requirement will prevent proper competition, unless the specifications also
12 request bids on other similar articles of equal value, utility, and merit ~~or unless remodeling or~~
13 ~~expanding an existing building that contains the specified or copyrighted article, product of one~~
14 ~~manufacturer, or patented apparatus or appliance~~ or unless as provided in section 44-08-01.