

Sixty-first
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1543

Introduced by

Representatives Vig, D. Johnson

Senators Flakoll, Taylor

1 A BILL for an Act to create and enact a new section to chapter 44-08 of the North Dakota
2 Century Code, relating to preferences for North Dakota food products.

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

4 **SECTION 1.** A new section to chapter 44-08 of the North Dakota Century Code is
5 created and enacted as follows:

6 **North Dakota food products - Preference - Alternate purchasing methods.**

7 Notwithstanding any other provision of law, a political subdivision purchasing food products
8 shall provide a preference for food products grown or produced in this state.

9 1. A political subdivision may elect to purchase its food products through the use of a
10 bidding procedure or may forego the bidding procedure and purchase the food
11 products directly from a vendor in this state.

12 a. If the political subdivision elects to purchase food products through a bidding
13 procedure, the political subdivision may enter into a contract under which the
14 price to be paid for a food product grown or produced in this state exceeds the
15 price offered by other bidders, provided:

16 (1) The quality of the food product is similar to that of products available
17 from other states or countries;

18 (2) The vendor is able to supply the requisite amount of the food product;
19 and

20 (3) The political subdivision has sufficient resources available to pay the
21 higher price.

22 b. If the political subdivision elects to purchase food products directly from a
23 vendor in this state, the political subdivision may enter into a contract under

1 which the price to be paid for a food product grown or produced in this state
2 exceeds the price offered by other vendors, provided:

3 (1) The quality of the food product is similar to that of products available
4 from other states or countries;

5 (2) The vendor is able to supply the requisite amount of the food product;
6 and

7 (3) The political subdivision has sufficient resources available to pay the
8 higher price.

9 2. For purposes of this section, "food products" mean food and drinks consumed by
10 humans and products that are components of food and drinks consumed by
11 humans.