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FILED MAR 1 1984

SENATE FILE 2253

BY COMMITTEE ON JUDICIARY
Approved 3/1/84
(FORMERLY SSB 2173)

Passed Senate, Date 3-7-84 (p 710) Passed House, Date 3-29-84 (p 1465)

Vote: Ayes 48 Nays 0 Vote: Ayes 99 Nays 0

Approved April 26, 1984

A BILL FOR

1 An Act relating to the penalty for violation of the Iowa
2 competition law and providing for a prohibition from
3 bidding on governmental contracts by persons convicted
4 of violations of the Iowa competition law.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S. 2253

1 Section 1. Section 553.14, Code 1983, is amended to read
2 as follows:

3 553.14 CRIMINAL PENALTY. A person ~~or-a-natural-person~~
4 having substantial control over an enterprise who knowingly
5 and willfully engages in conduct prohibited by this chapter
6 ~~shall-be~~ is guilty of a ~~serious-misdemeanor~~ class "D" felony.

7 Sec. 2. NEW SECTION. 553.18 DEBARMENT. A contractor
8 or supplier of goods or services to the state or a governmental
9 agency convicted under this chapter is prohibited from bidding
10 on a governmental contract for one year from the date of
11 conviction, unless the state or governmental agency accepting
12 bids expressly allows the contractor or supplier to bid after
13 being informed of the conviction.

14 EXPLANATION

15 Section 1 of this bill raises the criminal penalty for
16 knowing and willful violation of the Iowa competition law
17 from a serious misdemeanor to a class "D" felony.

18 Section 2 of the bill provides for a one year period of
19 debarment (prohibition from bidding on governmental contracts)
20 for governmental contractors or suppliers convicted for
21 violating the Iowa competition law.

22 This bill takes effect July 1 following its enactment.

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SENATE FILE 2253

S-5237

1 Amend Senate File 2253 as follows:

2 1. Page 1, by striking line 9 and inserting in
3 lieu thereof the following: "agency, and the
4 enterprise for which the illegal action was taken,
5 convicted under this chapter, or convicted under the
6 laws of any other state or the federal government
7 for actions which would constitute a violation of
8 this chapter, are prohibited from bidding".

S-5237 FILED

BY JOE WELSH

MARCH 5, 1984

Adopted 3/7 (p. 709)

SENATE FILE 2253

S-5238

1 Amend Senate File 2253 as follows:

2 1. Page 1, by striking lines 1 through 6 and
3 inserting in lieu thereof the following:
4 "Section 1. Section 553.14, Code 1983, is amended
5 by adding the following new unnumbered paragraph:
6 NEW UNNUMBERED PARAGRAPH. A person having
7 substantial control over an enterprise who knowingly
8 and willfully engages in bid-rigging or price fixing
9 involving a contract with the state or a governmental
10 agency is guilty of a class "D" felony."

S-5238 FILED

BY JOE WELSH

MARCH 5, 1984

Adopted 3/7 (p. 709)

1 Section 1. Section 553.14, Code 1983, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. A person having substantial
4 control over an enterprise who knowingly and willfully engages
5 in bid-rigging or price fixing involving a contract with the
6 state or a governmental agency is guilty of a class "D" felony.

7 Sec. 2. NEW SECTION. 553.18 DEBARMENT. A contractor
8 or supplier of goods or services to the state or a governmental
9 agency, and the enterprise for which the illegal action was
10 taken, convicted under this chapter, or convicted under the
11 laws of any other state or the federal government for actions
12 which would constitute a violation of this chapter, are
13 prohibited from bidding on a governmental contract for one
14 year from the date of conviction, unless the state or
15 governmental agency accepting bids expressly allows the
16 contractor or supplier to bid after being informed of the
17 conviction.

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contractor or supplier to bid after being informed of the conviction.

SENATE FILE 2253

AN ACT

RELATING TO THE PENALTY FOR VIOLATION OF THE IOWA COMPETITION LAW AND PROVIDING FOR A PROHIBITION FROM BIDDING ON GOVERNMENTAL CONTRACTS BY PERSONS CONVICTED OF VIOLATIONS OF THE IOWA COMPETITION LAW.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 553.14, Code 1983, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. A person having substantial control over an enterprise who knowingly and willfully engages in bid-rigging or price fixing involving a contract with the state or a governmental agency is guilty of a class "D" felony.

Sec. 2. NEW SECTION. 553.18 DEPARTMENT. A contractor or supplier of goods or services to the state or a governmental agency, and the enterprise for which the illegal action was taken, convicted under this chapter, or convicted under the laws of any other state or the federal government for actions which would constitute a violation of this chapter, are prohibited from bidding on a governmental contract for one year from the date of conviction, unless the state or governmental agency accepting bids expressly allows the

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2253, Seventieth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved April 26, 1984

TERRY E. BRANSTAD
Governor

S.F. 2253