

Senate Study Bill 3121 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
LOCAL GOVERNMENT BILL BY
CHAIRPERSON GREEN)

A BILL FOR

1 An Act relating to prequalification requirements for the
2 construction of public safety infrastructure and purchase of
3 public safety technology.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 26.16, Code 2024, is amended to read as
2 follows:

3 **26.16 Prequalification requirements prohibited.**

4 1. A Except to the extent provided in subsection 2, a
5 governmental entity shall not by ordinance, rule, or any
6 other action relating to contracts for public improvements
7 for which competitive bids are required by **this chapter**
8 impose any requirement that directly or indirectly restricts
9 potential bidders to any predetermined class of bidders defined
10 by experience on similar projects, size of company, union
11 membership, or any other criteria. However, a governmental
12 entity shall require nonresident bidders to comply with section
13 8A.311B, subsection 4.

14 2. A governmental entity may require bidders to meet
15 prequalification requirements related to production and
16 manufacturing for public safety infrastructure to be
17 constructed for or public safety technology to be purchased by
18 the governmental entity, including for traffic control devices,
19 cameras, computers, software, unmanned aerial vehicles, and
20 solar, wind, or other energy infrastructure or technology.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
23 the explanation's substance by the members of the general assembly.

24 This bill relates to prequalification requirements for the
25 construction of public safety infrastructure for and purchase
26 of public safety technology by a governmental entity. Under
27 current law, a governmental entity shall not impose any
28 requirement that directly or indirectly restricts potential
29 bidders to a predetermined class of bidders defined by certain
30 criteria. The bill allows a governmental entity to require
31 bidders to meet prequalification requirements related to
32 production and manufacturing for the construction of public
33 safety infrastructure for or the purchase of public safety
34 technology by the governmental entity.