



**Oklahoma Statutes Citationized**

**Title 74. State Government**

**Chapter 113 - Energy Discrimination Elimination Act of 2022**

**Section 12005 - Written Verification for Certain Contracts**

Cite as: 74 O.S. § 12005 (OSCN 2023)

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- A. As used in this section only of the Energy Discrimination Elimination Act of 2022, "governmental entity" means a state agency or political subdivision of this state.
- B. 1. Except for paragraph 4 of this subsection, this section applies only to a contract that:
- a. is between a governmental entity and a company with ten or more full-time employees, and
  - b. will pay a company One Hundred Thousand Dollars (\$100,000.00) or more over the term of the contract that is to be paid wholly or partly from public funds of the governmental entity; provided, however, the provisions of this paragraph shall apply separately to all companies in a multiple party contract.
2. Except as provided by paragraph 4 of this subsection, a governmental entity shall not enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it:
- a. does not boycott energy companies, and
  - b. will not boycott energy companies during the term of the contract.
3. Except as provided by paragraph 4 of this subsection, a governmental entity shall not enter into a contract for goods or services with a listed financial company under Section 3 of this act.
4. Paragraphs 2 and 3 of this subsection shall not apply to:
- a. a governmental entity that determines the requirements of paragraphs 2 or 3 of this subsection are inconsistent with the governmental entity's constitutional or statutory duties related to the issuance, incurrence, or management of debt obligations or the deposit, custody, management, borrowing, or investment of funds, and
  - b. a contract for which a governmental body determines the supplies or services to be provided are not otherwise reasonably available from a company that is not a listed financial company under Section 3 of this act.

**Historical Data**

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Laws 2022, HB 2034, c. 231, § 5, eff. November 1, 2022.