

SENATE No. 1411

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to procurement in the Commonwealth..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 7 of the General Laws is hereby amended by adding the following
2 section:-

3 SECTION 22N. (a) Notwithstanding any general or special law to the contrary and to the
4 extent permitted by federal law, a state agency or authority shall establish a preference for
5 products or services by businesses with its principal place of business in the commonwealth as
6 defined in section 3A of chapter 23A.

7 SECTION 2. Chapter 30B of the General Laws is hereby amended by adding the
8 following section:-

9 SECTION 21. (a) Notwithstanding any general or special law to the contrary and to the
10 extent permitted by federal law, a governmental body may, by a majority vote, establish a
11 preference for products or services by businesses with its principal place of business in the
12 commonwealth as defined in section 3A of chapter 23A.

13 (b) Wherever a governmental body by a majority vote establishes a preference for the
14 procurement of such products or services by businesses with its principal place of business in the
15 commonwealth, the procurement officer responsible for procuring products and services on
16 behalf of the governmental body shall effectuate such preference in: (i) advertising for bids,
17 contracts or otherwise and making reasonable efforts to facilitate the purchase of such products
18 or services; and (ii) purchasing products or services by businesses with its principal place of
19 business in the Commonwealth, unless the price of such goods or services exceed, by more than
20 10 per cent, the price of such goods or services produced outside of the commonwealth.