

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

SENATE BILL 1233

AN ACT

AMENDING TITLE 41, CHAPTER 23, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-2505; RELATING TO THE STATE PROCUREMENT CODE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 41, chapter 23, article 1, Arizona Revised Statutes,
3 is amended by adding section 41-2505, to read:

4 41-2505. Preference for Arizona residents

5 A. FOR CONTRACTS AWARDED PURSUANT TO SECTION 41-2533, SUBSECTION G, AN
6 ARIZONA BIDDER SHALL BE GIVEN PREFERENCE OVER A NONRESIDENT BIDDER IF THERE
7 ARE TWO OR MORE LOW, RESPONSIVE OFFERS FROM RESPONSIBLE BIDDERS THAT ARE
8 IDENTICAL IN PRICE.

9 B. AN INDEPENDENT CONTRACTOR OR OTHER NONEMPLOYEE REPRESENTATIVE
10 PRESENT IN ARIZONA FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING A MARKET
11 FOR THE BIDDER DOES NOT ESTABLISH ARIZONA AS THE BIDDER'S PRINCIPAL PLACE OF
12 BUSINESS. ESTABLISHING AND MAINTAINING A MARKET INCLUDES SOLICITING SALES,
13 MAKING REPAIRS, COLLECTING ACCOUNTS, DELIVERING PURCHASED GOODS, INSTALLING
14 PURCHASED GOODS, CONDUCTING TRAINING OR OTHER CONSULTING AND RESOLVING
15 CUSTOMER COMPLAINTS.

16 C. FOR THE PURPOSES OF THIS SECTION:

17 1. "ARIZONA BIDDER" MEANS:

18 (a) A BIDDER WHO IS AUTHORIZED TO TRANSACT BUSINESS IN ARIZONA.

19 (b) A BIDDER WHO MAINTAINS ITS PRINCIPAL PLACE OF BUSINESS IN ARIZONA
20 FOR NOT LESS THAN TWELVE CONSECUTIVE MONTHS BEFORE SUBMITTING A BID.

21 (c) A BIDDER WHO HAS PAID ALL ASSESSED TAXES.

22 2. "PRINCIPAL PLACE OF BUSINESS" MEANS THE STATE WHERE THE BIDDER
23 MAINTAINS AN OFFICE, MAINTAINS PERMANENTLY EMPLOYED STAFF AND CONDUCTS A
24 SUBSTANTIAL PART OF ITS OPERATIONS.