

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/HCS/House Bill No. 1472, Page 1, Section A, Line 11,

2 by inserting after all of said line the following:

3 "34.710. 1. A public body, when engaged in procuring
 4 or letting contracts for any purpose, shall ensure that
 5 bidders, offerors, contractors, or subcontractors are not
 6 discriminating based on an environmental, social, and
 7 governance score.

8 2. This section applies only to a contract that:

9 (1) Is between a public body and a company with ten or
 10 more full-time employees; and

11 (2) Has a value of fifty-thousand dollars or more that
 12 is to be paid wholly or partially from public funds of the
 13 public body.

14 3. A public body may not enter into a contract with a
 15 company for goods or services unless the contract contains a
 16 written verification from the company that it does not use
 17 environmental, social, and governance scoring.

18 4. Subsection 3 of this section shall not apply to a
 19 public body that determines the requirements of subsection 3
 20 of this section are inconsistent with the public body's
 21 constitutional or statutory duties related to the issuance,
 22 incurrence, or management of debt obligations or the
 23 deposit, custody, management, borrowing, or investment of
 24 funds.

25 5. For purposes of this section, the following terms
 26 mean:

27 (1) "Company", a for-profit entity, other than a sole
28 proprietorship, but including an organization, association,
29 corporation, partnership, joint venture, limited
30 partnership, limited liability partnership, or limited
31 liability company, including any wholly-owned subsidiary,
32 majority-owned subsidiary, parent company, or affiliate of
33 those entities or business associations, that exists to make
34 a profit;

35 (2) "Environmental, social and governance score", an
36 evaluation conducted by an entity that takes into
37 consideration one or more of the following:

38 (a) The use of energy and raw materials by the bidder,
39 offeror, contractor, or subcontractor;

40 (b) Whether the bidder, offeror, contractor, or
41 subcontractor spends funds on social welfare or makes
42 charitable donations;

43 (c) The wages and working hours of the employees of
44 the bidder, offeror, contractor, or subcontractor;

45 (d) The environmental policies of the bidder, offeror,
46 contractor, or subcontractor; and

47 (e) The bribery and corruption policies of the bidder,
48 offeror, contractor, or subcontractor;

49 (3) "Public body", the state, any agency of the state,
50 any political subdivision of the state, or any
51 instrumentality thereof.

52 6. The commissioner of administration or his or her
53 designee may promulgate regulations to implement the
54 provisions of this section so long as they are consistent
55 with this section and do not create any exceptions. Any
56 rule or portion of a rule, as that term is defined in
57 section 536.010, that is created under the authority
58 delegated in this section shall become effective only if it
59 complies with and is subject to all of the provisions of

60 chapter 536 and, if applicable, section 536.028. This
61 section and chapter 536 are nonseverable and if any of the
62 powers vested with the general assembly pursuant to chapter
63 536 to review, to delay the effective date, or to disapprove
64 and annul a rule are subsequently held unconstitutional,
65 then the grant of rulemaking authority and any rule proposed
66 or adopted after August 28, 2022, shall be invalid and
67 void."; and

68 Further amend the title and enacting clause accordingly.