

SENATE BILL NO. 183

INTRODUCED BY MAZUREK

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

IN THE SENATE

January 18, 1983	Introduced and referred to Committee on Judiciary.
January 25, 1983	Committee recommend bill do pass as amended. Report adopted.
January 26, 1983	Bill printed and placed on members' desks.
January 27, 1983	Second reading, do pass.
January 28, 1983	Correctly engrossed.
January 29, 1983	Third reading, passed. Ayes, 47; Noes, 0. Transmitted to House.

IN THE HOUSE

January 29, 1983	Introduced and referred to Committee on State Administration.
February 7, 1983	Committee recommend bill be concurred in. Report adopted.
February 9, 1983	Motion pass consideration until the 46th legislative day.
March 1, 1983	Second reading, concurred in.
March 2, 1983	Third reading, concurred in.

IN THE SENATE

March 3, 1983	Returned to Senate. Sent to enrolling. Reported correctly enrolled.
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1 *Senate* BILL NO. 183
2 INTRODUCED BY *Chapman*
3 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE LAWS
6 RELATING TO TRANSFER OF STATE CONTRACTS; AMENDING SECTION
7 18-4-105, MCA."
8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10 Section 1. Section 18-4-105, MCA, is amended to read:
11 "18-4-105. Contract transfers and collusion prohibited
12 -- violations and penalty. (1) No contract or order or any
13 interest therein may be transferred, assigned, or
14 subcontracted by the party to whom the contract or order is
15 given to any other party without the express written
16 approval of the state, and the state may declare void any
17 such unapproved transfer, assignment, or subcontract. No
18 approval of a transfer, assignment, or subcontract may
19 release the original obligor from his obligations to the
20 state under the contract or order.
21 (2) Collusion or secret agreements between bidders for
22 the purpose of securing any advantage to the bidders as
23 against the state in the awarding of contracts is
24 prohibited. The state may declare the contract void if the
25 department finds sufficient evidence after a contract has

1 been let that the contract was obtained by a bidder or
2 bidders by reason of collusive or secret agreement among the
3 bidders to the disadvantage of the state.
4 (3) All rights of action for a breach of a contract by
5 the contracting parties are reserved to the state.
6 (4) A person who violates the provisions of 2-2-201 or
7 this section, or both, is guilty of a misdemeanor and shall
8 be fined not less than \$500 or more than \$5,000, and the
9 state of Montana may at its option declare any contract in
10 violation of the provisions of 2-2-201 or this section or
11 both void ab initio."

-End-

-2- INTRODUCED BILL

SR 183

Approved by Committee
on Judiciary

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