### HOUSE BILL NO. 508

## INTRODUCED BY CAMPBELL, BECK

## BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

## IN THE HOUSE

	IN THE HOUSE
JANUARY 28, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & LABOR.
FEBRUARY 11, 1987	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 12, 1987	PRINTING REPORT.
FEBRUARY 13, 1987	SECOND READING, DO PASS.
FEBRUARY 14, 1987	ENGROSSING REPORT.
	THIRD READING, PASSED.
	TRANSMITTED TO SENATE.
	IN THE SENATE
FEBRUARY 16, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
MARCH 3, 1987	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 5, 1987	SECOND READING, CONCURRED IN.
MARCH 7, 1987	THIRD READING, CONCURRED IN. AYES, 47; NOES, 0.
	RETURNED TO HOUSE.
	IN THE HOUSE
MARCH 9, 1987	RECEIVED FROM SENATE.

SENT TO ENROLLING.

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1	Hause BILL NO. 508
2	INTRODUCED BY Congley Buck
3	BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION
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A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE DEPARTMENT OF ADMINISTRATION TO WAIVE THE REQUIREMENT TO FORFEIT BID SECURITY WHEN A SUCCESSFUL BIDDER REFUSES TO EXECUTE PROPOSED CONTRACTS FOR BIDS FOR CONSTRUCTION OF PUBLIC BUILDINGS OR FACILITIES UNDER TITLE 18, CHAPTER 2; AMENDING SECTION 18-1-204, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 18-1-204, MCA, is amended to read:

"18-1-204. Forfeiture -- bidder's liability. (1) If

Except as provided in subsection (3), if in any instance one
or more bids be accepted or a sale of any form of
indebtedness is ordered or a contract is awarded, any bidder
whose bid is accepted and who shall thereafter refuse to
enter into and execute the proposed contract or carry out
and consummate the purchase of any form of indebtedness, as
stated in the covenant in the bid and herein, shall
absolutely forfeit such moneys or bank instruments to the
public authority concerned and become immediately liable on
the bid bond but not in excess of the penal sum therein

Montana Legislative Council

2 (2) In no event shall the bidder's liability, the
3 liability of the maker of the security instrument, or the
4 liability on the bid bond exceed the amount specified by the
5 public authority in the solicitation or advertisement for
6 bids, whether the amount shall be posted in money, be stated
7 as the amount payable in the security instrument, or as the
8 maximum amount payable in the bid bond.

stated.

9 (3) With respect to bids accepted under Title 18,

10 chapter 2, the department may waive the requirement to

11 forfeit bid security."

NEW SECTION. Section 2. Effective date. This act is effective on passage and approval.

-End-

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# APPROVED BY COMM. ON BUSINESS AND LABOR

Hause BILL NO. 508 1 INTRODUCED BY Complete 2 BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION 3 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE DEPARTMENT OF ADMINISTRATION TO WAIVE THE REQUIREMENT TO FORFEIT BID SECURITY WHEN A SUCCESSFUL BIDDER REFUSES TO EXECUTE 7 PROPOSED CONTRACTS FOR BIDS FOR CONSTRUCTION OF PUBLIC BUILDINGS OR FACILITIES UNDER TITLE 18, CHAPTER 2; AMENDING 9 SECTION 18-1-204, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE 10 11 DATE." 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 13 Section 1. Section 18-1-204, MCA, is amended to read: 14 "18-1-204. Forfeiture -- bidder's liability. (1) If 15 Except as provided in subsection (3), if in any instance one 16 or more bids be accepted or a sale of any form of 17 indebtedness is ordered or a contract is awarded, any bidder 18 whose bid is accepted and who shall thereafter refuse to 19 enter into and execute the proposed contract or carry out 20

and consummate the purchase of any form of indebtedness, as

stated in the covenant in the bid and herein, shall

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8	maximum amount payable in the bid bond.
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12 <u>NEW SECTION.</u> Section 2. Effective date. This act is
13 effective on passage and approval.

-End-

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2	INTRODUCED BY Constill Beck
3	BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION
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5	A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE DEPARTMENT
6	OF ADMINISTRATION TO WAIVE THE REQUIREMENT TO FORFEIT BID
7	SECURITY WHEN A SUCCESSFUL BIDDER REFUSES TO EXECUTE
8	PROPOSED CONTRACTS FOR BIDS FOR CONSTRUCTION OF PUBLIC
9	BUILDINGS OR FACILITIES UNDER TITLE 18, CHAPTER 2; AMENDING
10	SECTION 18-1-204, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE
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-End-

effective on passage and approval.

50th Legislature

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HB 0508/02

HB 0508/02

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- 9 (3) With respect to bids accepted under Title 18,
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