

Introduced by

1 A BILL for an Act to amend and reenact section 48-01.2-03 of the North Dakota Century Code,
2 relating to specifying materials used in a public improvement.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 48-01.2-03 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **48-01.2-03. Specified brands, marks, names, or patented articles may not be**
7 **specified.** A governing body, in specifying materials to be used for a public improvement or in
8 plans or specifications for a public improvement, may not request bids for any article of a
9 specified or copyrighted brand or name, the product of any one manufacturer, or any patented
10 apparatus or appliance when the requirement will prevent proper competition, unless the
11 specifications also request bids on other similar articles of equal value, utility, and merit or
12 unless remodeling or expanding an existing building that contains the specified or copyrighted
13 article, product of one manufacturer, or patented apparatus or appliance.