

1 AN ACT relating to state contracts.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 45A.110 is amended to read as follows:

4 (1) A written determination of responsibility of a bidder or offeror shall be made and it
5 shall be made in accordance with administrative regulations promulgated by the
6 secretary of the Finance and Administration Cabinet. A reasonable inquiry to
7 determine the responsibility of a bidder or offeror may be conducted. The failure of
8 a bidder or offeror to promptly supply information in connection with such an
9 inquiry may be grounds for a determination of nonresponsibility with respect to
10 such a bidder or offeror.

11 (2) A written determination of responsibility of a bidder or offeror shall not be made
12 until the bidder or offeror provides the secretary of the Finance and Administration
13 Cabinet with his ***or her*** sworn statement made under penalty of perjury that:

14 ***(a)*** He ***or she*** has: ~~not~~

15 ***1. Never*** knowingly violated any provision of the campaign finance laws
16 of the Commonwealth; ***and***

17 ***2. Not had two (2) or more civil penalties under KRS 337.990, 338.991,***
18 ***339.990, or 341.990 imposed on him or her within the past five (5)***
19 ***years; and***

20 ***(b)*** ~~that~~ The award of a contract to a bidder or offeror will not violate any
21 provision of the campaign finance laws of the Commonwealth.

22 "Knowingly" means, with respect to conduct or to a circumstance described by a
23 statute defining an offense, that a person is aware or should have been aware that
24 his ***or her*** conduct is of that nature or that the circumstance exists.

25 (3) Except as otherwise provided by law, information furnished by a bidder or offeror
26 pursuant to this section may not be disclosed outside of the Division of State
27 Purchasing or the purchasing agency administering the contract without prior

1 written consent of the bidder or offeror.