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HOUSE BILL 336

**44TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION,  
2000**

INTRODUCED BY  
Stevan Pearce

AN ACT

RELATING TO PROCUREMENT; ENACTING A NEW SECTION OF THE  
PROCUREMENT CODE TO REQUIRE EVERY CONTRACT FOR THE  
PROCUREMENT OF AGRICULTURAL PRODUCTS TO REQUIRE THE  
CONTRACTOR TO GIVE PREFERENCE TO AGRICULTURAL PRODUCTS FROM  
NEW MEXICO.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Procurement Code,  
Section 13-1-170.1 NMSA 1978, is enacted to read:

"13-1-170.1. [NEW MATERIAL] UNIFORM CONTRACT CLAUSE--  
PREFERENCE FOR NEW MEXICO AGRICULTURAL PRODUCTS--ASSISTANCE  
FROM THE NEW MEXICO DEPARTMENT OF AGRICULTURE.--

A. Every contract or price agreement that may  
include any procurement or other supplying of agricultural  
products shall include the following provision: "In  
obtaining any agricultural product to be delivered under this  
.131446.1

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1 contract, contractor agrees to give preference to those  
2 agricultural products produced, processed or grown in New  
3 Mexico if the cost to the contractor is equal, and the  
4 quality similar, to alternative agricultural products  
5 produced, processed or grown elsewhere.".

6 B. Upon the request of a central purchasing office  
7 or contractor, the New Mexico department of agriculture shall  
8 assist with the implementation and enforcement of the  
9 provisions of Subsection A of this section, including  
10 information concerning the availability of agricultural  
11 products.

12 C. As used in this section:

13 (1) "agricultural products" includes  
14 livestock, animal products, crops and other similar products;  
15 and

16 (2) "processed" means canning, freezing,  
17 drying, juicing, preserving or any other act that changes the  
18 form of a good from its natural state to another form."