

STATE PURCHASING

Table 7.11
STATE PURCHASING: BUY-AMERICAN LAWS AND OTHER PRACTICES

State	Buy-American laws affecting public procurement	Preference to specified products				
		Small business	Recycled plastic	Recycled paper	Other products with recycled content	Other
Alabama	...	...	...	...	...	...
Alaska	(a)	...	★	★	★	★
Arizona	...	★	...	★	★	★
Arkansas	...	...	...	★	...	...
California	★(b)	★	★	★	★	...
Colorado	...	...	...	...	...	...
Connecticut	...	★(c)	★	★	★	★
Delaware	...	...	...	...	...	...
Florida	...	...	★	★	★	...
Georgia	...	...	...	...	...	...
Hawaii	...	...	★	★	★	★
Idaho	...	...	...	...	...	...
Illinois	★(d)	...	★	...	★	★
Indiana	★	★	★	★	★	...
Iowa	★(e)	★	...	★	...	★
Kansas	★(f)	...	...	★	...	...
Kentucky	...	...	★	★	★	★
Louisiana	★(e)	★	★	★	★	★ (g)
Maine	...	...	...	★	...	...
Maryland	★(e)	★	★	★	★	...
Massachusetts	...	...	...	...	...	★
Michigan	...	...	★	★	★	...
Minnesota	★	★	★	★	★	...
Mississippi	★(h)	...	★	★	★	...
Missouri	★	...	★	...	...	...
Montana	...	...	...	...	...	...
Nebraska	...	...	...	...	...	...
Nevada	...	...	...	...	...	...
New Hampshire	...	...	...	...	...	...
New Jersey	★(i)	★	★	★	★	...
New Mexico	★(e)	...	★	★	★ (j)	...
New York	★(d)	...	★	★	★ (k)	...
North Carolina	...	...	★	...	★	...
North Dakota	...	...	...	...	...	...
Ohio	★	...	...	★	★	★
Oklahoma	(c)	...	...	...	...	...
Oregon	...	...	★	★	★	...
Pennsylvania	★(d,e)	...	★	★	...	...
Rhode Island	★	...	...	★	...	...
South Carolina	★(l)	...	...	★	...	...
South Dakota	...	...	★	★	★	★
Tennessee	...	...	...	...	★	...
Texas	★(m)	★	★	★	★	★
Utah	...	...	...	★	...	...
Vermont	★(n)	...	★	★	★	...
Virginia	...	...	...	★	...	...
Washington	...	...	★	★	★(o)	...
West Virginia	★(d)	...	★	★	★	...
Wisconsin	★(p)	...	...	...	★(q)	...
Wyoming	★(e,r)	...	...	...	★(s)	...

Source: National Association of State Purchasing Officials, *State and Local Government Purchasing*, 5th Edition (1997).

Key:

- ★ — Yes
- ... — No

- (a) No "Buy American" but have "Buy Alaska" laws.
- (b) For some automobile purchases. However, "Buy American" was ruled unconstitutional in a 1971 court case, and "Buy California" was determined to be unconstitutional by the Attorney General.
- (c) Minority small businesses share a part of the overall preference for all small businesses.
- (d) Steel. In Maryland, 10,000 pounds or more for public work projects. In New York, steel for public works projects only. Also aluminium in Pennsylvania. In West Virginia, over 50,000 pounds, glass and aluminium.
- (e) Vehicles only.
- (f) Optional for director.
- (g) In-state vendor will be given some preference that competitor received

in competitor's home state.

- (h) Only meat.
- (i) Materials used in conjunction with public works contracts.
- (j) Provides a 5% bidders preference to qualified New Mexico businesses; manufacturers and contractors.
- (k) All products.
- (l) Two percent preference on made in U.S.A.
- (m) Preferal for U.S. made steel and federal funded highway projects (25%) and in the event of a tie bid (U.S. or foreign).
- (n) Steel for AOT.
- (o) Tires, vehicle lubricants, latex paints, lead acid batteries, compost, insulation, and panel board.
- (p) The state will purchase materials that are manufactured to the greatest extent in the United States in case of tie bids.
- (q) State agencies must buy recycled products if practical.
- (r) Beef.
- (s) Paper.