

1 **SENATE FLOOR VERSION**

2 February 27, 2020

3 SENATE BILL NO. 1135

By: Simpson

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7 An Act relating to state purchasing procedures;  
8 amending 74 O.S. 2011, Section 85.3A, as last amended  
9 by Section 1, Chapter 472, O.S.L. 2019 (74 O.S. Supp.  
10 2019, Section 85.3A), which relates to The Oklahoma  
11 Central Purchasing Act; modifying exempt agencies;  
12 establishing certain purchasing practice as an  
13 individual purchasing entity; providing for  
14 codification; providing an effective date; and  
15 declaring an emergency.

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. AMENDATORY 74 O.S. 2011, Section 85.3A, as  
18 last amended by Section 1, Chapter 472, O.S.L. 2019 (74 O.S. Supp.  
19 2019, Section 85.3A), is amended to read as follows:

20 Section 85.3A. A. Compliance with the provisions of The  
21 Oklahoma Central Purchasing Act shall not be required of:

- 22 1. County government;
- 23 2. The Oklahoma State Regents for Higher Education, the  
24 institutions, centers, or other constituent agencies of The Oklahoma  
State System of Higher Education;
3. The telecommunications network known as OneNet;

1 4. The Department of Public Safety gun range;

2 5. The State Treasurer for the following purchases:

3 a. services, including, but not limited to, legal  
4 services to assist in the administration of the  
5 Uniform Unclaimed Property Act, as provided in Section  
6 668 of Title 60 of the Oklahoma Statutes, and

7 b. software, hardware and associated services to assist  
8 in the administration of funds and securities held by  
9 the state, as provided in Section 71.2 of Title 62 of  
10 the Oklahoma Statutes;

11 6. CompSource Oklahoma if CompSource Oklahoma is operating  
12 pursuant to a pilot program authorized by Sections 3316 and 3317 of  
13 this title; ~~or~~

14 7. The Oklahoma Department of Veterans Affairs, in accordance  
15 with ~~Section 2 of this act~~ Section 63.22 of Title 72 of the Oklahoma  
16 Statutes; or

17 8. The Military Department of the State of Oklahoma, in  
18 accordance with Section 2 of this act.

19 B. The State Purchasing Director may form an advisory committee  
20 consisting of representatives from entities exempted from the  
21 provisions of The Oklahoma Central Purchasing Act. The purpose of  
22 the committee shall be to allow committee members to provide input  
23 into the development of shared state purchasing contracts,  
24 collaboratively participate in the integration of their purchasing

1 platforms or electronic purchasing catalogs, analyze solutions that  
2 may be used by state government to meet the purchasing needs of the  
3 entities, explore joint purchases of general use items that result  
4 in mutual procurement of quality goods and services at the lowest  
5 reasonable cost and explore flexibility, administrative relief, and  
6 transformation changes through utilization of procurement  
7 technology.

8 C. At the invitation of the State Purchasing Director entities  
9 exempted from the provisions of The Oklahoma Central Purchasing Act  
10 shall participate in the advisory committee referenced in subsection  
11 B of this section.

12 D. The State Purchasing Director may invite representatives of  
13 local government and local common education entities to participate  
14 as members of the advisory committee.

15 SECTION 2. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 29 of Title 44, unless there is  
17 created a duplication in numbering, reads as follows:

18 For the determination of compliance with limits set forth in The  
19 Oklahoma Central Purchasing Act, each federal program administered  
20 by the Military Department of the State of Oklahoma shall, if the  
21 agency has a Certified Procurement Officer assigned to each program  
22 and makes purchases in compliance with internal purchasing  
23 procedures of the Military Department that are approved by the  
24

1 Office of Management and Enterprise Services, be regarded as an  
2 individual purchasing entity.

3 SECTION 3. This act shall become effective July 1, 2020.

4 SECTION 4. It being immediately necessary for the preservation  
5 of the public peace, health or safety, an emergency is hereby  
6 declared to exist, by reason whereof this act shall take effect and  
7 be in full force from and after its passage and approval.

8 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT  
9 February 27, 2020 - DO PASS

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