

1 ENGROSSED SENATE
2 BILL NO. 1135

By: Simpson of the Senate

3 and

4 Hardin (Tommy) of the House

5
6 An Act relating to state purchasing procedures;
7 amending 74 O.S. 2011, Section 85.3A, as last amended
8 by Section 1, Chapter 472, O.S.L. 2019 (74 O.S. Supp.
9 2019, Section 85.3A), which relates to The Oklahoma
10 Central Purchasing Act; modifying exempt agencies;
11 establishing certain purchasing practice as an
12 individual purchasing entity; providing for
13 codification; providing an effective date; and
14 declaring an emergency.

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

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

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

21 1. County government;

22 2. The Oklahoma State Regents for Higher Education, the
23 institutions, centers, or other constituent agencies of The Oklahoma
24 State System of Higher Education;

3. The telecommunications network known as OneNet;

4. The Department of Public Safety gun range;

1 5. The State Treasurer for the following purchases:

- 2 a. services, including, but not limited to, legal
3 services to assist in the administration of the
4 Uniform Unclaimed Property Act, as provided in Section
5 668 of Title 60 of the Oklahoma Statutes, and
6 b. software, hardware and associated services to assist
7 in the administration of funds and securities held by
8 the state, as provided in Section 71.2 of Title 62 of
9 the Oklahoma Statutes;

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

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

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

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

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

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

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

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

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

