

1 STATE OF OKLAHOMA

2 1st Session of the 51st Legislature (2007)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1872

6 By: Johnson (Dennis)

7 COMMITTEE SUBSTITUTE

8 An Act relating to the Oklahoma Turnpike Authority;
9 amending 61 O.S. 2001, Section 130, as amended by
10 Section 24, Chapter 294, O.S.L. 2002 (61 O.S. Supp.
11 2006, Section 130), which relates to competitive
12 bidding; including Oklahoma Turnpike Authority in
13 certain emergency exception; and providing an
14 effective date.

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

16 SECTION 1. AMENDATORY 61 O.S. 2001, Section 130, as
17 amended by Section 24, Chapter 294, O.S.L. 2002 (61 O.S. Supp. 2006,
18 Section 130), is amended to read as follows:

19 Section 130. A. The provisions of the Public Competitive
20 Bidding Act of 1974 with reference to notice and bids shall not
21 apply to an emergency if:

22 1. The governing body of a public agency declares by a two-
23 thirds (2/3) majority vote of all of the members of the governing
24 body that an emergency exists;

1 2. The Transportation Commission and the Oklahoma Tourism and
2 Recreation Commission, by majority vote of all the members of each
3 Commission, declare that an emergency exists; or

4 3. The chief administrative officer of a public agency without
5 a governing body declares that an emergency exists.

6 B. The governing body of a public agency may, upon approval of
7 two-thirds (2/3) majority of all of the members of the governing
8 body, delegate to the chief administrative officer of a public
9 agency the authority to declare an emergency whereby the provisions
10 of the Public Competitive Bidding Act of 1974 with reference to
11 notice and bids shall not apply to contracts less than Thirty-five
12 Thousand Dollars (\$35,000.00) in amount; provided, such authority of
13 the Department of Transportation and the Oklahoma Turnpike Authority
14 shall not extend to any contract exceeding Five Hundred Thousand
15 Dollars (\$500,000.00) in amount.

16 C. An emergency declared by the Board of Corrections pursuant
17 to subsection C of Section 65 of this title shall exempt the
18 Department of Corrections from the limits which would otherwise be
19 imposed pursuant to subsection B of this section for the contracting
20 and construction of new or expanded correctional facilities.

21 D. The chief administrative officer of a public agency with a
22 governing body shall notify the governing body within ten (10) days
23 of the declaration of an emergency if the governing body did not
24 approve the emergency. The notification shall contain a statement

1 of the reasons for the action, and shall be recorded in the official
2 minutes of the governing body.

3 E. Emergency as used in this section shall be limited to
4 conditions resulting from a sudden unexpected happening or
5 unforeseen occurrence or condition whereby the public health or
6 safety is endangered.

7 F. The chief administrative officer of a public agency shall
8 report an emergency within ten (10) days of the emergency
9 declaration and include the official minutes of the governing body
10 of the public agency, if applicable, to the State Construction
11 Administrator of the Department of Central Services who shall
12 compile an annual report detailing all emergencies declared pursuant
13 to this section during the previous calendar year. The report shall
14 be submitted to the Governor, the President Pro Tempore of the
15 Senate and the Speaker of the House of Representatives.

16 SECTION 2. This act shall become effective November 1, 2007.

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18 51-1-7395 CJB 02/26/07

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