

THE HOUSE OF REPRESENTATIVES  
Thursday, March 26, 2009

Committee Substitute for  
ENGROSSED  
Senate Bill No. 288

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 288 - By: WYRICK  
of the Senate and GLENN of the House.

An Act relating to counties and county officers; amending 19 O.S. 2001,  
Section 1501, as last amended by Section 4, Chapter 132, O.S.L. 2007 (19 O.S.  
Supp. 2008, Section 1501), which relates to duties of the county purchasing  
agent; adding exception; and declaring an emergency.

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

1 SECTION 1. AMENDATORY 19 O.S. 2001, Section 1501, as last amended by  
2 Section 4, Chapter 132, O.S.L. 2007 (19 O.S. Supp. 2008, Section 1501), is amended to  
3 read as follows:

4 Section 1501. A. The county purchasing agent:

5 1. Shall, within the amount of the unencumbered balance, make all purchases that  
6 are paid from county funds for the various institutions, departments, officers, and  
7 employees of the county, except at public auctions and as otherwise provided for by law;

8 2. May make purchases for political subdivisions of this state within the county if  
9 authorized by appropriate action of the governing board or body of the political  
10 subdivision affected;

1           3. Shall make purchases and rental or lease-purchase agreements only after  
2 following the bidding procedures as provided for by law, except:

3           a.       when the purchase does not exceed Ten Thousand Dollars (\$10,000.00).

4                   All purchases made pursuant to this subparagraph shall be by a single  
5 purchase order. Splitting purchase orders which would result in  
6 paying an amount in excess of the limitations specified in this  
7 subparagraph is expressly prohibited. Any person convicted of  
8 violating the provisions of this subparagraph shall be guilty of a  
9 misdemeanor and such person shall forfeit the person's position or  
10 office,

11           b.       when the total payments of a rental or lease-purchase agreement do  
12 not exceed the current bid limit as established in subparagraph a of  
13 this paragraph,

14           c.       when articles and items are covered by single source contracts,

15           d.       service or maintenance contracts on equipment or machinery which  
16 are entered into at the time of the purchase of the equipment or  
17 machinery,

18           e.       purchases made pursuant to a blanket purchase order as provided for  
19 in Section 310.8 of Title 62 of the Oklahoma Statutes,

20           f.       when materials for road or bridge improvements do not exceed Three  
21 Dollars (\$3.00) per yard or per ton,

- 1 g. purchases of fuel if the county purchasing agent obtains telephone  
2 quotes from at least three vendors prior to the purchase and the lowest  
3 and best quote is selected. Documentation of these quotes shall be  
4 recorded in the permanent records of the clerk,
- 5 h. purchases of petroleum-based products if the county purchasing agent  
6 obtains telephone quotes from at least three vendors prior to the  
7 purchase and the lowest and best quote is selected. Documentation of  
8 these quotes shall be recorded in the permanent records of the clerk.
- 9 i. purchases of tools, apparatus, machinery or equipment from a state  
10 agency or a political subdivision of the state as provided for in  
11 subsection C of Section 421.1 of this title,
- 12 ~~i.~~ j. purchases of food for prisoners incarcerated in the county jail; provided, in  
13 counties having a population in excess of one hundred thousand  
14 (100,000) persons, the county purchasing agent shall follow bidding  
15 procedures as provided by law unless the county purchasing agent  
16 obtains telephone quotes pursuant to the whole total of food items  
17 requisitioned prior to the purchase and the lowest and best quote is  
18 selected. Documentation of these quotes shall be recorded in the  
19 permanent records of the county clerk,
- 20 ~~j.~~ k. when a county solicits bids for the purchase of processed native materials for  
21 road and bridge improvements, the county may accept all bids  
22 received, with the lowest and best bid from those accepted to be

1 selected at the time of opening of any construction project. The  
2 selection of the bid shall be based upon availability, bid price, plus  
3 transportation costs,  
4 ~~k.~~ l. when a vendor has been selected as the lowest and best bidder to furnish a  
5 particular item or items to the county during a specified time period  
6 and in the event the vendor is unable to perform, the purchasing agent  
7 may solicit telephone quotes for the item or items needed from the list  
8 of qualified bidders and provide for the purchase of the items at the  
9 lowest and best quote available,  
10 ~~l.~~ m. when considering the purchase of an item or items from the state bid  
11 list as provided by the Department of Central Services or the General  
12 Services Administration, if the same exact item is available from a  
13 local vendor at or below the price listed on the state bid list or the  
14 General Services Administration list, the item may be obtained from  
15 the vendor,  
16 ~~m.~~ n. any item or items bid by the Department of Central Services which  
17 may be purchased by the county, provided the vendor is willing to  
18 supply the item or items to the county at the bid price,  
19 ~~n.~~ o. when a county obtains proceeds from the sale of its property at a public  
20 auction, that county may use those proceeds to acquire items  
21 previously identified as needed by the county at the same public  
22 auction pursuant to subsection D of Section 1505 of this title,

UNDERLINED language denotes Amendments to present Statutes.  
**BOLD FACE CAPITALIZED** language denotes Committee Amendments.  
~~Strike thru~~ language denotes deletion from present Statutes.



1 purchasing agent and submitting both to the county clerk for filing, encumbering, and  
2 consideration for payment by the board of county commissioners;

3 4. Shall not furnish any supplies, materials, equipment, or other articles, except  
4 upon receipt of a requisition signed by a county officer. Written requisitions will not be  
5 required for blanket purchase orders as provided for in Section 310.8 of Title 62 of the  
6 Oklahoma Statutes. Each county officer may designate not more than two employees  
7 who also shall be authorized to sign requisitions in the absence of the county officer. A  
8 written designation of the employees shall be filed with the county clerk and shall be  
9 entered in the minutes of the board of county commissioners;

10 5. Shall make lease or lease-purchase agreements for road machinery and  
11 equipment if the county has adequate funds appropriated during any fiscal year for such  
12 purpose and only after following the bidding procedures as provided for in Section 1505  
13 of this title. The term of any lease or lease-purchase agreement authorized pursuant to  
14 this paragraph may be for any period up to one (1) year, provided, the term shall not  
15 extend beyond the end of any fiscal year, with an option to renew such agreement subject  
16 to the requirement that adequate funds are appropriated during the fiscal year by the  
17 county for such purpose. The State Auditor and Inspector's office shall be notified by the  
18 county of the terms and conditions of a lease or lease-purchase agreement authorized  
19 pursuant to this paragraph before any such agreement is made by the county purchasing  
20 agent; and

21 6. Shall perform such other duties as may be delegated by the appointing authority  
22 or as may be provided for by law.

1           B. Each department of county government needing repairs to equipment,  
2 machinery or vehicles shall make estimates and requisition a purchase order from the  
3 county purchasing agent for repairs not in excess of Two Thousand Five Hundred Dollars  
4 (\$2,500.00). Repairs in excess of Two Thousand Five Hundred Dollars (\$2,500.00), shall  
5 be submitted on a blanket purchase order as provided in Section 310.8 of Title 62 of the  
6 Oklahoma Statutes.

7           SECTION 2. It being immediately necessary for the preservation of the public  
8 peace, health and safety, an emergency is hereby declared to exist, by reason whereof  
9 this act shall take effect and be in full force from and after its passage and approval.

10 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated 03-  
11 25-09 - DO PASS, As Amended.