

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 709

By: Sykes of the Senate

3 and

4 Johnson of the House

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8 [senior nutrition services - Oklahoma Central
9 Purchasing Act - exempting certain entities -
effective date]

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12 AUTHOR: Add the following Senate Coauthor: Brecheen

13 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
14 entire bill and insert

15 "An Act relating to state government; amending 74
16 O.S. 2001, Section 85.3A, as last amended by Section
17 1, Chapter 66, O.S.L. 2010 (74 O.S. Supp. 2010,
18 Section 85.3A), which relates to The Oklahoma
19 Central Purchasing Act; modifying exceptions;
20 providing exception for certain entities contracting
with state for senior nutrition services; requiring
certain funds be distributed to certain agencies;
providing for nonrenewal of certain contracts;
providing for codification; and providing an
effective date.

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23 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
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1 SECTION 1. AMENDATORY 74 O.S. 2001, Section 85.3A, as
2 last amended by Section 1, Chapter 66, O.S.L. 2010 (74 O.S. Supp.
3 2010, Section 85.3A), is amended to read as follows:

4 Section 85.3A Compliance with the provisions of The Oklahoma
5 Central Purchasing Act shall not be required of:

- 6 1. County government;
- 7 2. The Oklahoma State Regents for Higher Education, the
8 institutions, centers, or other constituent agencies of The Oklahoma
9 State System of Higher Education;
- 10 3. The telecommunications network known as OneNet;
- 11 4. The Department of Public Safety gun range;
- 12 5. The State Treasurer for the following purchases:
 - 13 a. services, including, but not limited to, legal
14 services to assist in the administration of the
15 Uniform Unclaimed Property Act, as provided in Section
16 668 of Title 60 of the Oklahoma Statutes, and
 - 17 b. software, hardware and associated services to assist
18 in the administration of funds and securities held by
19 the state, as provided in Section 71.2 of Title 62 of
20 the Oklahoma Statutes;
- 21 6. CompSource Oklahoma if CompSource Oklahoma is operating
22 pursuant to a pilot program authorized by Sections 3316 and 3317 of
23 this title; ~~or~~
- 24 7. The Oklahoma Wheat Commission; or

1 8. Entities contracting with the state to provide senior
2 nutrition services under the Older Americans Act.

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 85.3B of Title 74, unless there
5 is created a duplication in numbering, reads as follows:

6 A. For purposes of purchasing and contracting in counties with
7 a population greater than four hundred thousand (400,000), funds
8 received for the federal Women, Infants, and Children (WIC) program
9 shall only be distributed by the Oklahoma Department of Health to
10 state, county, tribal, public schools or city/county health
11 agencies. These funds shall only be spent by these agencies and not
12 contracted out to other agencies.

13 B. No bid shall be awarded in violation of subsection A of this
14 section. Contractual obligations currently existing which are in
15 violation of the provisions of subsection A of this section shall
16 not be renewed.

17 SECTION 3. This act shall become effective November 1, 2011.”

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1 ENGROSSED SENATE
2 BILL NO. 709

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6 [senior nutrition services - Oklahoma Central
7 Purchasing Act - exempting certain entities -
8 effective date]

9
10 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

11 SECTION 4. AMENDATORY 74 O.S. 2001, Section 85.3A, as
12 last amended by Section 1, Chapter 66, O.S.L. 2010 (74 O.S. Supp.
13 2010, Section 85.3A), is amended to read as follows:

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

- 16 1. County government;
- 17 2. The Oklahoma State Regents for Higher Education, the
18 institutions, centers, or other constituent agencies of The Oklahoma
19 State System of Higher Education;
- 20 3. The telecommunications network known as OneNet;
- 21 4. The Department of Public Safety gun range;
- 22 5. The State Treasurer for the following purchases:
 - 23 a. services, including, but not limited to, legal
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1 Uniform Unclaimed Property Act, as provided in Section
2 668 of Title 60 of the Oklahoma Statutes, and

3 b. software, hardware and associated services to assist
4 in the administration of funds and securities held by
5 the state, as provided in Section 71.2 of Title 62 of
6 the Oklahoma Statutes;

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

10 7. The Oklahoma Wheat Commission;

11 8. Entities contracting with the state to provide senior
12 nutrition services under the Older Americans Act; or

13 9. The Oklahoma Abstractors Board.

14 SECTION 5. This act shall become effective November 1, 2011.

15 Passed the Senate the 15th day of March, 2011.

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17 _____
18 Presiding Officer of the Senate

19 Passed the House of Representatives the ____ day of _____,
20 2011.

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22 _____
23 Presiding Officer of the House
24 of Representatives