

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 709

By: Sykes of the Senate

and

Johnson of the House

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10 COMMITTEE SUBSTITUTE

11 An Act relating to state government; amending 74 O.S.
12 2001, Section 85.3A, as last amended by Section 1,
13 Chapter 66, O.S.L. 2010 (74 O.S. Supp. 2010, Section
14 85.3A), which relates to The Oklahoma Central
15 Purchasing Act; modifying exceptions; providing
16 exception for certain entities contracting with state
17 for senior nutrition services; requiring certain
18 funds be distributed to certain agencies; providing
19 for nonrenewal of certain contracts; providing for
20 codification; and providing an effective date.

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

22 SECTION 1. AMENDATORY 74 O.S. 2001, Section 85.3A, as
23 last amended by Section 1, Chapter 66, O.S.L. 2010 (74 O.S. Supp.
24 2010, Section 85.3A), is amended to read as follows:

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

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

22 SECTION 2. NEW LAW A new section of law to be codified

23 in the Oklahoma Statutes as Section 85.3B of Title 74, unless there

24 is created a duplication in numbering, reads as follows:

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

8 B. No bid shall be awarded in violation of subsection A of this
9 section. Contractual obligations currently existing which are in
10 violation of the provisions of subsection A of this section shall
11 not be renewed.

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

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