

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 53rd Legislature (2011)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 709

By: Sykes and Brecheen of the
Senate

and

Johnson of the House

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11 COMMITTEE SUBSTITUTE

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

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

23 SECTION 1. AMENDATORY 74 O.S. 2001, Section 85.3A, as
24 last amended by Section 1, Chapter 66, O.S.L. 2010 (74 O.S. Supp.
25 2010, Section 85.3A), is amended to read as follows:

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

3 1. County government;

4 2. The Oklahoma State Regents for Higher Education, the
5 institutions, centers, or other constituent agencies of The Oklahoma
6 State System of Higher Education;

7 3. The telecommunications network known as OneNet;

8 4. The Department of Public Safety gun range;

9 5. The State Treasurer for the following purchases:

10 a. services, including, but not limited to, legal
11 services to assist in the administration of the
12 Uniform Unclaimed Property Act, as provided in Section
13 668 of Title 60 of the Oklahoma Statutes, and

14 b. software, hardware and associated services to assist
15 in the administration of funds and securities held by
16 the state, as provided in Section 71.2 of Title 62 of
17 the Oklahoma Statutes;

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

21 7. The Oklahoma Wheat Commission; or

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

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

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

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

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

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17 COMMITTEE REPORT BY: COMMITTEE ON GOVERNMENT MODERNIZATION, dated
18 04-14-2011 - DO PASS, As Amended and Coauthored.

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