

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 1794

By: Christian, Ownbey,
Lockhart, Hoskin, Condit,
McDaniel (Jeannie) and
Shelton of the House

7 and

8 Jolley and Johnson
9 (Constance) of the Senate

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12 CONFERENCE COMMITTEE SUBSTITUTE

13 An Act relating to sole source purchase contracts;
14 authorizing substitution of certain products;
15 prohibiting purchasing restrictions to certain
16 geographical areas; authorizing promulgation of rules
to implement act; providing for codification;
providing for noncodification; and declaring an
emergency.

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

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 85.45j.1 of Title 74, unless
22 there is created a duplication in numbering, reads as follows:

23 A. Notwithstanding any other provision of law or agency rule to
24 the contrary, any bid submissions made by a state agency or any

1 political subdivision pursuant to authorized sole source bidding
2 procedures established by the provisions of Section 85.45j of Title
3 74 of the Oklahoma Statutes, which substitute an item with one that
4 is alike in quality and design or which meets the required
5 specifications of the bid shall be considered. In terms of new
6 public construction contracts, at least three equivalent items from
7 more than one manufacturer and more than one supplier or
8 representative shall be included in the required specifications.

9 B. In addition, no sole source bid proposal shall require any
10 limitation that materials must be supplied from a vendor within any
11 specific geographical area. Geographic preference for vendors
12 inside the geographical boundaries may be given, but only when the
13 cost is the same or less.

14 SECTION 2. NEW LAW A new section of law not to be
15 codified in the Oklahoma Statutes reads as follows:

16 The Office of Management and Enterprise Services is authorized
17 to promulgate rules as necessary to implement the provisions of this
18 act.

19 SECTION 3. It being immediately necessary for the preservation
20 of the public peace, health and safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

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24 54-1-8105 GRS 05/22/13