

1 ENGROSSED SENATE  
2 BILL NO. 563

By: Bergstrom of the Senate

3 and

4 Murphey of the House  
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7 An Act relating to public buildings and public works;  
8 establishing certain purchasing provisions for school  
9 districts; clarifying types of purchasing;  
10 establishing that certain purchasing practices are  
11 available to local public procurement units;  
12 providing definitions; providing for codification;  
13 and providing an effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 139 of Title 61, unless there is  
17 created a duplication in numbering, reads as follows:

18 A. In addition to any authority to enter an agreement pursuant  
19 to the Interlocal Cooperation Act, any school district, including a  
20 technology school district, may either participate in, sponsor,  
21 conduct or administer a cooperative purchasing agreement for the  
22 acquisition of any commodities or services with one or more public  
23 agencies in accordance with an agreement entered into between the  
24 participants. Such cooperative purchasing may include, but is not

1 limited to, joint or multiparty contracts between public agencies  
2 and open-ended state public procurement contracts.

3 B. Any local public procurement unit may either participate in,  
4 sponsor, conduct or administer a cooperative or piggybacking  
5 purchasing agreement for the acquisition of any commodities or  
6 services, including construction services, with one (1) or more  
7 public procurement units or external procurement units in accordance  
8 with an agreement entered into between the participants. Such  
9 cooperative purchasing may include, but is not limited to, joint or  
10 multiparty contracts between public procurement units and open-ended  
11 state public procurement unit contracts which are made available to  
12 local public procurement units. Purchases made in accordance with  
13 this subsection by a local public procurement unit have satisfied  
14 any procurement regulation, not including federal regulations that  
15 may apply due to the federal source of the funding for the  
16 anticipated purchase.

17 C. For purposes of this section, the following definitions  
18 apply:

19 1. "Local public procurement unit" shall mean, inter alia, any  
20 county, city, town, state agency, and any other subdivision of the  
21 state or public unit or agency thereof;

22 2. "External procurement unit" shall mean any buying  
23 organization in the United States not located in this state which,  
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1 if located in this state, would qualify as a public procurement  
2 unit; and

3 3. "Cooperative or piggybacking purchasing agreement" shall  
4 mean an agreement between a local public procurement unit and  
5 another local public procurement unit or an external procurement  
6 unit to authorize the use of a contract procured by one of the  
7 parties to the agreement to benefit the other party to the  
8 agreement.

9 SECTION 2. This act shall become effective November 1, 2017.

10 Passed the Senate the 20th day of March, 2017.

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Presiding Officer of the Senate

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14 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
15 2017.

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Presiding Officer of the House  
of Representatives

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