

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 56th Legislature (2017)

4   ENGROSSED SENATE  
5   BILL NO. 563

By: Bergstrom and Loveless of  
the Senate

6   and

7   Murphey of the House

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

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

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

21       A.   In addition to any authority to enter an agreement pursuant  
22       to the Interlocal Cooperation Act, any school district, including a  
23       technology school district, may either participate in, sponsor,  
24       conduct or administer a cooperative purchasing agreement for the  
25       acquisition of any commodities or services with one or more public

1 agencies in accordance with an agreement entered into between the  
2 participants. Such cooperative purchasing may include, but is not  
3 limited to, joint or multiparty contracts between public agencies  
4 and open-ended state public procurement contracts.

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

19 C. For purposes of this section, the following definitions  
20 apply:

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

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

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

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

12  
13 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
14 04/11/2017 - DO PASS, As Coauthored.