

1 ENGROSSED SENATE
2 BILL NO. 135

By: Simpson and Rosino of the
Senate

3 and

4 Hardin (Tommy) of the House

5
6 An Act relating to state purchasing procedures;
7 amending 74 O.S. 2011, Section 85.3A, as last amended
8 by Section 9, Chapter 269, O.S.L. 2016 (74 O.S. Supp.
9 2018, Section 85.3A), which relates to the Central
10 Purchasing Act; modifying exempt agencies; providing
11 for certain preference to honorably discharged
12 veterans; defining term; providing for test of
majority ownership interests; providing for
codification; providing an effective date; and
declaring an emergency.

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

14 SECTION 1. AMENDATORY 74 O.S. 2011, Section 85.3A, as
15 last amended by Section 9, Chapter 269, O.S.L. 2016 (74 O.S. Supp.
16 2018, Section 85.3A), is amended to read as follows:

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

19 1. County government;

20 2. The Oklahoma State Regents for Higher Education, the
21 institutions, centers, or other constituent agencies of The Oklahoma
22 State System of Higher Education;

23 3. The telecommunications network known as OneNet;

24 4. The Department of Public Safety gun range;

1 5. The State Treasurer for the following purchases:

- 2 a. services, including, but not limited to, legal
3 services to assist in the administration of the
4 Uniform Unclaimed Property Act, as provided in Section
5 668 of Title 60 of the Oklahoma Statutes, and
6 b. software, hardware and associated services to assist
7 in the administration of funds and securities held by
8 the state, as provided in Section 71.2 of Title 62 of
9 the Oklahoma Statutes; ~~or~~

10 6. CompSource Oklahoma if CompSource Oklahoma is operating
11 pursuant to a pilot program authorized by Sections 3316 and 3317 of
12 this title; or

13 7. The Oklahoma Department of Veterans Affairs, which shall
14 solicit bids for goods or services to be acquired by the agency from
15 lawfully recognized business entities owned by honorably discharged
16 veterans.

17 B. The State Purchasing Director may form an advisory committee
18 consisting of representatives from entities exempted from the
19 provisions of The Oklahoma Central Purchasing Act. The purpose of
20 the committee shall be to allow committee members to provide input
21 into the development of shared state purchasing contracts,
22 collaboratively participate in the integration of their purchasing
23 platforms or electronic purchasing catalogs, analyze solutions that
24 may be used by state government to meet the purchasing needs of the

1 entities, explore joint purchases of general use items that result
2 in mutual procurement of quality goods and services at the lowest
3 reasonable cost and explore flexibility, administrative relief, and
4 transformation changes through utilization of procurement
5 technology.

6 C. At the invitation of the State Purchasing Director entities
7 exempted from the provisions of The Oklahoma Central Purchasing Act
8 shall participate in the advisory committee referenced in subsection
9 B of this section.

10 D. The State Purchasing Director may invite representatives of
11 local government and local common education entities to participate
12 as members of the advisory committee.

13 SECTION 2. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 63.22 of Title 74, unless there
15 is created a duplication in numbering, reads as follows:

16 A. The Oklahoma Department of Veterans Affairs may grant a
17 preference for purposes of the expenditure of funds for tangible or
18 intangible personal property or services to be acquired by the
19 agency to an honorably discharged veteran or to a lawfully
20 recognized business entity the majority ownership of which fifty-one
21 percent (51%) or more is held by an honorably discharged veteran at
22 the time the contract is awarded.

23 B. No individual veteran or veteran-owned business entity, as
24 defined in subsection A of this section, shall be eligible for

1 consideration as a vendor pursuant to this section unless the
2 individual veteran or veteran-owned business entity has registered
3 with the federal System for Award Management (SAM.gov) in the same
4 manner as required to do business with the federal government.

5 C. As used in this section, the term "veteran" shall be defined
6 in accordance with Section 2 of Title 72 of the Oklahoma Statutes.

7 SECTION 3. This act shall become effective July 1, 2019.

8 SECTION 4. It being immediately necessary for the preservation
9 of the public peace, health or safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

12 Passed the Senate the 6th day of March, 2019.

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14 _____
15 Presiding Officer of the Senate

16 Passed the House of Representatives the ____ day of _____,
17 2019.

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19 _____
20 Presiding Officer of the House
21 of Representatives
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