

1 ENGROSSED HOUSE
2 BILL NO. 3271

By: Boles and Davis of the
House

3 and

4 Paxton of the Senate
5

6 An Act relating to counties and county officers;
7 amending 19 O.S. 2011, Section 1500.1, as amended by
8 Section 2, Chapter 358, O.S.L. 2013 (19 O.S. Supp.
9 2019, Section 1500.1), which relates to county
10 purchasing; establishing an online bidding process
11 for counties; providing for online bidding process
12 procedures; and providing an effective date.

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

14 SECTION 1. AMENDATORY 19 O.S. 2011, Section 1500.1, as
15 amended by Section 2, Chapter 358, O.S.L. 2013 (19 O.S. Supp. 2019,
16 Section 1500.1), is amended to read as follows:

17 Section 1500.1 A. Except as otherwise provided by Section 1500
18 et seq. of this title, the county purchasing agent shall have the
19 authority to develop, implement and promote policies and procedures
20 that allow the procurement of materials and equipment through
21 contracts that are flexible, value based and are in the best
22 interests of the state and its political subdivisions.

23 B. Except as otherwise provided, the county purchasing agent
24 shall have the authority to use electronic commerce for the

1 solicitation, notification, and other purchasing processes. For
2 purposes of this subsection, "electronic commerce" means the use of
3 electronic methods to enable solicitations, open bids, supplier
4 response, bid submission, notice of contract award, county
5 acquisition processes, or any other function to make an acquisition.

6 C. ~~Counties~~ The boards of county commissioners shall have the
7 authority to conduct a procurement transaction by electronic means
8 subject to the provisions of the Uniform Electronic Transactions
9 Act.

10 D. The board of county commissioners shall have the authority
11 to establish an online bidding process with a vendor authorized by
12 state contract as provided by the Office of Management and
13 Enterprise Services.

14 1. The purchasing agent shall comply with all bid notice
15 requirements as prescribed in paragraph 2 of subsection B of Section
16 1505 of this title or the Public Competitive Bidding Act of 1974.

17 2. Solicitations shall designate an opening and closing date
18 and time for bids. Sealed bids received pursuant to this subsection
19 shall be first opened in an open meeting of the board of county
20 commissioners concurrently with other sealed bids received as
21 provided in Section 1505 of this title or the Public Competitive
22 Bidding Act of 1974.

23 3. The board of county commissioners shall be authorized to
24 require online bidders to register before the opening date and time

1 and, as part of that registration, require bidders to agree to any
2 terms, conditions or other requirements of the solicitation or
3 applicable acts.

4 4. The board of county commissioners shall be authorized to
5 require potential online bidders to prequalify as bidders.
6 Solicitations and published bid notices shall indicate the
7 prequalification requirements for online bids. Bids submitted by
8 online bidders not meeting a prequalification requirement shall be
9 disqualified from consideration.

10 SECTION 2. This act shall become effective November 1, 2020.

11 Passed the House of Representatives the 3rd day of March, 2020.

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13 _____
14 Presiding Officer of the House
of Representatives

15 Passed the Senate the ____ day of _____, 2020.

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19 Presiding Officer of the Senate
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