

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3271

By: Boles of the House

and

7                               **Paxton** of the Senate

8  
9  
10                               COMMITTEE SUBSTITUTE

11                   An Act relating to counties and county officers;  
12                   amending 19 O.S. 2011, Section 1500.1, as amended by  
13                   Section 2, Chapter 358, O.S.L. 2013 (19 O.S. Supp.  
14                   2019, Section 1500.1), which relates to county  
15                   purchasing; establishing an online bidding process  
16                   for counties; providing for online bidding process  
17                   procedures; and providing an effective date.

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

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

22                   Section 1500.1 A. Except as otherwise provided by Section 1500  
23                   et seq. of this title, the county purchasing agent shall have the  
24                   authority to develop, implement and promote policies and procedures  
                 that allow the procurement of materials and equipment through

1 contracts that are flexible, value based and are in the best  
2 interests of the state and its political subdivisions.

3 B. Except as otherwise provided, the county purchasing agent  
4 shall have the authority to use electronic commerce for the  
5 solicitation, notification, and other purchasing processes. For  
6 purposes of this subsection, "electronic commerce" means the use of  
7 electronic methods to enable solicitations, open bids, supplier  
8 response, bid submission, notice of contract award, county  
9 acquisition processes, or any other function to make an acquisition.

10 C. ~~Counties~~ The boards of county commissioners shall have the  
11 authority to conduct a procurement transaction by electronic means  
12 subject to the provisions of the Uniform Electronic Transactions  
13 Act.

14 D. The board of county commissioners shall have the authority  
15 to establish an online bidding process with a vendor authorized by  
16 state contract as provided by the Office of Management and  
17 Enterprise Services.

18 1. The purchasing agent shall comply with all bid notice  
19 requirements as prescribed in paragraph 2 of subsection B of Section  
20 1505 of this title or the Public Competitive Bidding Act of 1974.

21 2. Solicitations shall designate an opening and closing date  
22 and time for bids. Sealed bids received pursuant to this subsection  
23 shall be first opened in an open meeting of the board of county  
24 commissioners concurrently with other sealed bids received as

1 provided in Section 1505 of this title or the Public Competitive  
2 Bidding Act of 1974.

3 3. The board of county commissioners shall be authorized to  
4 require online bidders to register before the opening date and time  
5 and, as part of that registration, require bidders to agree to any  
6 terms, conditions or other requirements of the solicitation or  
7 applicable acts.

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

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

16 COMMITTEE REPORT BY: COMMITTEE ON COUNTY AND MUNICIPAL GOVERNMENT,  
17 dated 02/24/2020 - DO PASS, As Amended and Coauthored.