

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL 135

By: Simpson

AS INTRODUCED

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

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

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

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

1. County government;
2. The Oklahoma State Regents for Higher Education, the institutions, centers, or other constituent agencies of The Oklahoma State System of Higher Education;
3. The telecommunications network known as OneNet;

1 4. The Department of Public Safety gun range;

2 5. The State Treasurer for the following purchases:

3 a. services, including, but not limited to, legal
4 services to assist in the administration of the
5 Uniform Unclaimed Property Act, as provided in Section
6 668 of Title 60 of the Oklahoma Statutes, and

7 b. software, hardware and associated services to assist
8 in the administration of funds and securities held by
9 the state, as provided in Section 71.2 of Title 62 of
10 the Oklahoma Statutes; ~~or~~

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

14 7. The Oklahoma Department of Veterans Affairs.

15 B. The State Purchasing Director may form an advisory committee
16 consisting of representatives from entities exempted from the
17 provisions of The Oklahoma Central Purchasing Act. The purpose of
18 the committee shall be to allow committee members to provide input
19 into the development of shared state purchasing contracts,
20 collaboratively participate in the integration of their purchasing
21 platforms or electronic purchasing catalogs, analyze solutions that
22 may be used by state government to meet the purchasing needs of the
23 entities, explore joint purchases of general use items that result
24 in mutual procurement of quality goods and services at the lowest

1 reasonable cost and explore flexibility, administrative relief, and
2 transformation changes through utilization of procurement
3 technology.

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

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

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

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

21 B. No individual veteran or veteran-owned business entity, as
22 defined in paragraph A of this section, shall be eligible for
23 consideration as a vendor pursuant to this section unless the
24 individual veteran or veteran-owned business entity has registered

1 with the federal System for Award Management (SAM.gov) in the same
2 manner as required to do business with the federal government.

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

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

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

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