

An Act

ENROLLED SENATE
BILL NO. 853

By: Dossett (J.J.) and Floyd of
the Senate

and

Burns of the House

An Act relating to the Oklahoma Central Purchasing Act; amending 74 O.S. 2011, Section 85.3A, as last amended by Section 4, Chapter 98, O.S.L. 2020 (74 O.S. Supp. 2020, Section 85.3A), which relates to exempted entities; exempting the Oklahoma Military Department from the provisions of the Oklahoma Central Purchasing Act for certain purchases; and providing an effective date.

SUBJECT: Oklahoma Central Purchasing Act

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 4, Chapter 98, O.S.L. 2020 (74 O.S. Supp. 2020, 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;

4. The Department of Public Safety gun range;

5. The State Treasurer for the following purchases:

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

6. Statutorily allowed interagency agreements between state agencies;

7. The Oklahoma Department of Veterans Affairs, in accordance with Section 63.22 of Title 72 of the Oklahoma Statutes; ~~or~~

8. The Oklahoma Military Department for the purchases of heraldry items including, but limited to, medals, badges and other military accoutrements; or

9. A transaction, wholly funded by monies other than state-derived funds, in which a state agency functions only as a pass-through conduit to fund an acquisition that is required by the funding source for the benefit of another entity or individuals and the state agency does not retain ownership of any part of the acquisition as a result of the transaction.

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

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

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

D. The State Purchasing Director may invite representatives of political subdivisions, and local common education entities to participate as members of the advisory committee.

SECTION 2. This act shall become effective November 1, 2021.

Passed the Senate the 8th day of March, 2021.

Presiding Officer of the Senate

Passed the House of Representatives the 12th day of April, 2021.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____