

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 58th Legislature (2021)

4   ENGROSSED SENATE  
5   BILL NO. 853

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

6                                               and

7                                               Burns of the House

8  
9           An Act relating to the Oklahoma Central Purchasing  
10          Act; amending 74 O.S. 2011, Section 85.3A, as last  
11          amended by Section 4, Chapter 98, O.S.L. 2020 (74  
12          O.S. Supp. 2020, Section 85.3A), which relates to  
13          exempted entities; exempting the Oklahoma Military  
14          Department from the provisions of the Oklahoma  
15          Central Purchasing Act for certain purchases; and  
16          providing an effective date.

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

18           SECTION 1.       AMENDATORY       74 O.S. 2011, Section 85.3A, as  
19          last amended by Section 4, Chapter 98, O.S.L. 2020 (74 O.S. Supp.  
20          2020, Section 85.3A), is amended to read as follows:

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

- 23           1.   County government;
- 24           2.   The Oklahoma State Regents for Higher Education, the  
             institutions, centers, or other constituent agencies of The Oklahoma  
             State System of Higher Education;

1 3. The telecommunications network known as OneNet;

2 4. The Department of Public Safety gun range;

3 5. The State Treasurer for the following purchases:

4 a. services, including, but not limited to, legal  
5 services to assist in the administration of the  
6 Uniform Unclaimed Property Act, as provided in Section  
7 668 of Title 60 of the Oklahoma Statutes, and

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

12 6. Statutorily allowed interagency agreements between state  
13 agencies;

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

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

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

1       B. The State Purchasing Director may form an advisory committee  
2 consisting of representatives from entities exempted from the  
3 provisions of the Oklahoma Central Purchasing Act. The purpose of  
4 the committee shall be to allow committee members to provide input  
5 into the development of shared state purchasing contracts,  
6 collaboratively participate in the integration of their purchasing  
7 platforms or electronic purchasing catalogs, analyze solutions that  
8 may be used by state government to meet the purchasing needs of the  
9 entities, explore joint purchases of general use items that result  
10 in mutual procurement of quality goods and services at the lowest  
11 reasonable cost and explore flexibility, administrative relief, and  
12 transformation changes through utilization of procurement  
13 technology.

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

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

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

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23       COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated  
24       04/01/2021 - DO PASS, As Coauthored.