

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB4042</b>
<b>Version:</b>	<b>CS</b>
<b>Request Number:</b>	<b>10574</b>
<b>Author:</b>	<b>Rep. Townley</b>
<b>Date:</b>	<b>3/12/2024</b>
<b>Impact:</b>	<b>OMES: &gt;\$100,000</b>
	<b>Other State Agencies Total: &gt;\$1,000,000</b>
	<b>OTRD: Maintain Current Budgetary Resources</b>

**Research Analysis**

The committee substitute to HB 4042 requires the State Purchasing Director to submit quarterly reports that provide a delivery timeline of all acquisition requests. The measure allows the requisitioning agency to negotiate and execute a contract with the awarded bidder if more than 10 days pass between the time an agency award recommendation is made and OMES routes a contract to the bidder for signature. The requisitioning agency must give written notice to Central Purchasing before executing a contract.

The measure also authorizes Oklahoma Tourism and Recreation Department (OTRD) to promote state-owned, leased, or operated facilities and to enter into partnerships and contracts for those promotional programs and projects with a private person, firm, corporation, organization, or association. Promotional program contracts are not subject to the Oklahoma Central Purchasing Act or the Public Competitive Bidding Act of 1974.

Lastly, the measure exempts the following purchases made by OTRD from the Oklahoma Central Purchasing Act:

- Merchandise for resale purchased for and sold over the internet, in publications, or through OTRD retail outlets;
- Materials, supplies, and services necessary for facility and program operations; and
- Services of media publication professionals and firms.

Prepared By: Keana Swadley

**Fiscal Analysis**

The committee substitute to HB 4042 requires the State Purchasing Director within the Office of Management and Enterprise Services (OMES) to publish quarterly reports each year, as well as the Central Purchasing Division must negotiate contracts between an agency and bidder in ten (10) days or less. Per OMES, the implementation of this measure may require one (1) additional full-time equivalent (FTE), with a total fiscal impact to the agency of less than One Hundred Thousand dollars (\$100,000.00).

OMES anticipates this measure may result in the need of additional purchasing staff at various state agencies. The total cost of these additional staff is unknown but is estimated to total less than One Million dollars (\$1,000,000.00).

This measure also authorizes specific purchases made by the Oklahoma Tourism and Recreation Department (OTRD) are exempt from the Central Purchasing Act. Per OTRD, these additional exemptions would allow for increased efficiency and competitiveness in the hospitality industry, resulting in maintaining current revenue levels used to support the agency's budget and preventing a reduction in agency services at various locations across the state.

Prepared By: Jay St Clair, House Fiscal Staff

**Other Considerations**

None.