

1 ENGROSSED SENATE
2 BILL NO. 1365

By: Frix of the Senate

and

Townley of the House

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6 An Act relating to the Oklahoma Central Purchasing
7 Act; amending 74 O.S. 2021, Section 85.3A, as amended
8 by Section 53, Chapter 228, O.S.L. 2022 (74 O.S.
9 Supp. 2025, Section 85.3A), which relates to exempted
10 entities; updating statutory language; adding certain
11 exemption; exempting certain purchases made by the
12 Oklahoma Tourism and Recreation Department from the
13 Oklahoma Central Purchasing Act; exceeding certain
14 amount; construing provisions; providing for
15 codification; and declaring an emergency.

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

17 SECTION 1. AMENDATORY 74 O.S. 2021, Section 85.3A, as
18 amended by Section 53, Chapter 228, O.S.L. 2022 (74 O.S. Supp. 2025,
19 Section 85.3A), is amended to read as follows:

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

22 1. County government;

23 2. The Oklahoma State Regents for Higher Education, the
24 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;

1 5. The State Treasurer for the following purchases:

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

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

10 6. Statutorily allowed interagency agreements between state
11 agencies;

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

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

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

1 10. The Secretary of State when selecting a vendor for
2 publication of the Oklahoma Statutes in accordance with Section 13
3 of Title 75 of the Oklahoma Statutes; or

4 11. The Oklahoma Tourism and Recreation Department for
5 purchases set forth in Section 2 of this act.

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

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

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

4 SECTION 2. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 2211.1 of Title 74, unless there
6 is created a duplication in numbering, reads as follows:

7 A. The Oklahoma Tourism and Recreation Department shall be
8 exempt from the Oklahoma Central Purchasing Act for purchases in an
9 amount not to exceed Seventy-five Thousand Dollars (\$75,000.00)
10 related to merchandise for resale purchased for and sold over the
11 Internet, in publications, or through Department retail outlets
12 including, but not limited to, lodges, gift shops, golf course pro
13 shops, restaurants, and other purchases made for the production of
14 such merchandise.

15 B. An exemption authorized in this section shall not be
16 construed for the use of leasing or contracting for state-owned
17 restaurants in state parks.

18 SECTION 3. It being immediately necessary for the preservation
19 of the public peace, health or safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

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