

# SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION

☒ FLOOR AMENDMENT

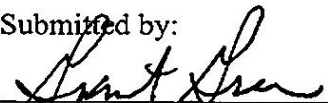
No. 1

☐ COMMITTEE AMENDMENT


(Date)

I move to amend House Bill No. 2743, by the attached floor substitute (Request #2099) for the title, enacting clause, and entire body of the measure.

Submitted by:

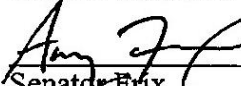
  
Senator Green

I hereby grant permission for the floor substitute to be adopted.

  
Senator Thompson, Chair (required)

  
Senator Green

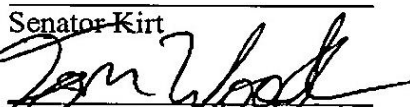
Senator Coleman

  
Senator Frix

  
Senator Gillespie

Senator Guthrie

Senator Kirt

  
Senator Woods

Senator Goodwin

  
Senator Paxton, President Pro Tempore

Senator Daniels, Majority Floor  
Leader

Note: Economic Development, Workforce and Tourism committee majority requires five (5) members' signatures.

Green-MR-FA-HB2743  
5/5/2025 1:39 PM

(Floor Amendments Only)

Date and Time Filed: 5/5/25

2:48pm JGD

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

FLOOR SUBSTITUTE  
FOR ENGROSSED

HOUSE BILL NO. 2743

By: Caldwell (Trey) of the  
House

and

Green of the Senate

FLOOR SUBSTITUTE

[ competitive bidding - cooperative purchasing  
agreements - authority - effective date -  
emergency ]

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

SECTION 1. AMENDATORY 61 O.S. 2021, Section 139, is  
amended to read as follows:

Section 139. A. In addition to any authority to enter an  
agreement pursuant to the Interlocal Cooperation Act, any school  
district, including a technology school district, may either  
participate in, sponsor, conduct or administer a cooperative  
purchasing agreement for the acquisition of any commodities or  
services with one or more public agencies in accordance with an  
agreement entered into between the participants. Such cooperative  
purchasing may include, but is not limited to, joint or multiparty

1 contracts between public agencies and open-ended state public  
2 procurement contracts. Cooperative purchasing shall not include new  
3 construction. For cooperative purchasing agreements, all funds  
4 shall be applied toward chargeables under the agreements or toward  
5 direct administrative costs associated with the agreements. No  
6 entity shall take a percentage of the funds as profit under the  
7 cooperative purchasing agreement.

8 B. Any local public procurement unit may either participate in,  
9 sponsor, conduct or administer a cooperative or piggybacking  
10 purchasing agreement for the acquisition of any commodities or  
11 services, including construction services, with one (1) or more  
12 public procurement units or external procurement units in accordance  
13 with an agreement entered into between the participants. Such  
14 cooperative purchasing may include, but is not limited to, joint or  
15 multiparty contracts between public procurement units and open-ended  
16 state public procurement unit contracts which are made available to  
17 local public procurement units. Purchases made in accordance with  
18 this subsection by a local public procurement unit shall be required  
19 to satisfy any procurement regulation, including ~~The~~ Oklahoma  
20 Central Purchasing Act, the Public Competitive Bidding Act of 1974,  
21 the Oklahoma State Finance Act, related administrative rules and  
22 federal regulations that may apply due to the federal source of the  
23 funding for the anticipated purchase.

1 C. For purposes of this section, the following definitions  
2 apply:

3 1. "Local public procurement unit" shall mean, inter alia, any  
4 county, city, town, state agency, and any other subdivision of the  
5 state or public unit or agency thereof;

6 2. "External procurement unit" shall mean any buying  
7 organization in the United States not located in this state which,  
8 if located in this state, would qualify as a public procurement  
9 unit; ~~and~~

10 3. "Cooperative or piggybacking purchasing agreement" shall  
11 mean an agreement between a local public procurement unit and  
12 another local public procurement unit or an external procurement  
13 unit to authorize the use of a contract procured by one of the  
14 parties to the agreement to benefit the other party to the  
15 agreement. This term shall also mean an agreement that provides  
16 access to a product or service that is lower in price than a  
17 comparable product or service that is available through the usage of  
18 a statewide, multistate or multigovernmental contract issued by the  
19 ~~state~~ Purchasing Division of the Office of Management and Enterprise  
20 Services; and

21 4. "New construction" shall mean any building not previously  
22 constructed that has not been occupied or used. New construction  
23 shall not mean bus barns, agriculture barns, storage buildings,  
24 batting cages, or similar structures.

1 D. Nothing in this section shall supersede the obligation of a  
2 state agency to adhere to rules regarding statewide contracts issued  
3 by the ~~state~~ Purchasing Division. Neither shall any provision of  
4 this section be construed to waive the obligation of a state agency  
5 to utilize a mandatory purchasing contract as designated by the  
6 State Purchasing Director.

7 SECTION 2. This act shall become effective July 1, 2025.

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

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13 60-1-2099 MR 5/5/2025 4:09:55 PM  
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