

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 HOUSE BILL 3279

By: Pfeiffer

6 AS INTRODUCED

7 An Act relating to state government; amending 74 O.S.  
8 2021, Section 85.42, as amended by Section 9, Chapter  
9 336, O.S.L. 2025 (74 O.S. Supp. 2025, Section 85.42),  
10 which relates to the Oklahoma Central Purchasing Act;  
11 broadening scope of certain prohibited act; requiring  
12 inclusion of certified statements for purchase  
13 contracts exceeding certain dollar amount;  
14 authorizing the appointment of contract signatory  
15 designees; requiring written designations; amending  
16 74 O.S. 2021, Section 590, which relates to the  
17 Oklahoma Privatization of State Functions Act;  
18 broadening scope of certain prohibited act;  
19 authorizing the Attorney General and state agencies  
20 to terminate certain contracts; increasing time  
21 limitation that bars business organizations from  
22 contracting with the state, its agencies, or  
23 political subdivisions of the state; allowing the  
24 Attorney General or state agency to pursue monetary  
damages and certain relief; and providing an  
effective date.

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

20 SECTION 1. AMENDATORY 74 O.S. 2021, Section 85.42, as

21 amended by Section 9, Chapter 336, O.S.L. 2025 (74 O.S. Supp. 2025,  
22 Section 85.42), is amended to read as follows:

23 Section 85.42. A. 1. Except as otherwise provided for in this  
24 section or other applicable law, any agency, whether or not such

1 agency is subject to the Oklahoma Central Purchasing Act, shall be  
2 prohibited from entering into a ~~sole source~~ contract ~~or agreement or~~  
3 ~~a contract or agreement for professional services~~ with or for the  
4 services of any person who has terminated employment with or who has  
5 been terminated by that agency for one (1) year after the  
6 termination date of the employee from the agency. Any contract or  
7 agreement entered into in violation of this subsection shall be  
8 void. Any person found to have violated this subsection shall be  
9 prohibited from entering into any state contract for a period of  
10 five (5) years from the date of the execution of the contract or  
11 agreement. The provisions of this subsection shall not prohibit an  
12 agency from hiring or rehiring such person as a state employee.

13       2. Any chief administrative officer of an agency, whether or  
14 not such agency is subject to the Oklahoma Central Purchasing Act,  
15 shall not enter into any contract for nonprofessional or  
16 professional services for the purpose of or which would result in  
17 the circumvention of the full-time-equivalent employee limitation  
18 established by law for such agency.

19       B. Each contract for purchases of Twenty-five Thousand Dollars  
20 (\$25,000.00) or more, including change orders, extensions, renewals,  
21 or amendments, entered into by any person or firm with the State of  
22 Oklahoma shall include a statement certifying that no person who has  
23 been materially involved in any manner in the development, approval,  
24 or negotiation of such contract while employed by the state shall be

1 employed or given anything of value in consideration of receiving  
2 the contract to fulfill any of the services provided for under the  
3 contract. Each contract for purchases of Twenty-five Thousand  
4 Dollars (\$25,000.00) or more, including change orders, extensions,  
5 renewals, or amendments, shall also include a statement ~~from the~~  
6 ~~chief executive officer or head of the contracting state agency~~  
7 certifying that no known officer or employee of the contracting  
8 state agency who has any direct or indirect financial, pecuniary, or  
9 other personal interest in the contract has been involved in any  
10 manner in the development, approval, or negotiation of the contract  
11 through influence, decision, recommendation, or otherwise. The  
12 chief executive officer or head of the contracting state agency may  
13 appoint an employee of the agency as a contract signatory designee.  
14 Such designation shall be made in writing. However, such  
15 designation shall not absolve the chief executive officer or head of  
16 the contracting agency from responsibility for implementing the  
17 provisions of this subsection. This subsection shall not preclude  
18 faculty and staff of the institutions within The Oklahoma State  
19 System of Higher Education from negotiating and participating in  
20 research grants and educational contracts. This subsection shall  
21 not apply to Oklahoma Department of Commerce personnel who contract  
22 to provide services to the Oklahoma Capital Investment Board.  
23 C. As used in this section, "person" means any state official  
24 or employee of a department, board, bureau, commission, agency,

1 trusteeship, authority, council, committee, trust, school district,  
2 fair board, court, executive office, advisory group, task force,  
3 study group, supported in whole or in part by public funds or  
4 entrusted with the expenditure of public funds or administering or  
5 operating public property, and all committees, or subcommittees  
6 thereof, judges, justices and state legislators.

7       D. Notwithstanding anything to the contrary in this section,  
8 the following sole-source or professional services contracts are  
9 allowed at any time:

10       1. A contract for professional services at any time with a  
11 person who is a qualified interpreter for the deaf; and

12       2. A contract between a business entity that is a part-time  
13 certified court reporter and the Administrative Office of the  
14 Courts, on behalf of the district courts, or the Office of the  
15 Attorney General.

16       E. Provided the provisions specified in subsection B of this  
17 section are satisfied, the following professional services contracts  
18 are allowed:

19       1. The Department of Transportation, Oklahoma Water Resources  
20 Board, Department of Environmental Quality, Oklahoma Tourism and  
21 Recreation Department, the Oklahoma Turnpike Authority and the  
22 Oklahoma Department of Agriculture, Food, and Forestry may contract  
23 with a person who has retired from state service;

1       2. To maintain public health infrastructure and preparedness,  
2 the State Department of Health and city-county health departments  
3 may contract with a physician assistant, Registered Nurse, advanced  
4 practice nurse, Nurse-Midwife, registered dietician, occupational  
5 therapist, physical therapist or speech-language pathologist who has  
6 retired from state service; and

7       3. The Department of Mental Health and Substance Abuse Services  
8 may contract with a physician, Registered Nurse, registered  
9 pharmacist or person meeting the definition of a licensed mental  
10 health professional, as defined in Title 43A of the Oklahoma  
11 Statutes, who has separated and/or retired from state service.

12       SECTION 2.       AMENDATORY       74 O.S. 2021, Section 590, is  
13 amended to read as follows:

14       Section 590. A. Any state officer or employee who exercises  
15 discretionary or decision-making authority in ~~awarding~~ entering into  
16 a ~~privatization~~ contract pursuant to the Oklahoma Privatization of  
17 State Functions Act, shall be prohibited for a period of one (1)  
18 year from the effective date ~~that of~~ the ~~privatization~~ contract is  
19 awarded from becoming an officer or employee of a business  
20 organization which is a party to any ~~privatization~~ contract with the  
21 state agency in which the state officer or employee exercised such  
22 discretionary or decision-making authority.

23       B. In the event of a violation of the provisions of subsection  
24 A of this section,~~the~~:

1       1. The Attorney General or the state agency may terminate the  
2       contract with the business organization;

3       2. The Attorney General may terminate any other state contract  
4       with the business organization; and

5       3. The business organization shall be prohibited, for a period  
6       of one (1) year three (3) years from the date of the violation,  
7       employment or association of the former state officer or employee  
8       with the business organization, from contracting with the state  
9       State of Oklahoma or any agency in which the state officer or state  
10       employee exercised discretionary or decision-making authority or  
11       political subdivision of the State of Oklahoma.

12       The Attorney General or state agency may pursue monetary damages  
13       and declaratory and equitable relief from the business organization  
14       for repayment of any funds expended or encumbered pursuant to the  
15       contract and any losses attributable to the contract or its  
16       termination.

17       SECTION 3. This act shall become effective November 1, 2026.

19       60-2-15650       GRS       01/13/26