

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 3279

By: Pfeiffer

AS INTRODUCED

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

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

SECTION 1. AMENDATORY 74 O.S. 2021, Section 85.42, as amended by Section 9, Chapter 336, O.S.L. 2025 (74 O.S. Supp. 2025, Section 85.42), is amended to read as follows:

Section 85.42. A. 1. Except as otherwise provided for in this 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 trusteehip, 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;

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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 dietitian, 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~~ 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.

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