

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3357

By: Williams

6 AS INTRODUCED

7 An Act relating to state government; creating the
8 Department of Central Purchasing; directing the
9 Department of Central Purchasing to assume duties of
the Central Purchasing Division of the Office of
Management and Enterprise Services; providing for
succession to contractual rights and
responsibilities; requiring Director to adopt and
enforce certain rules and authorizing further
rulemaking authority; authorizing execution of
certain agreement; providing certain protections
relating to salary, leave, time earned, and benefits;
requiring transfer of personnel to be coordinated
with Office of Management and Enterprise Services;
requiring payment of certain expenses; abolishing
certain division within the Office of Management and
Enterprise Services upon completion of transfer;
amending 19 O.S. 2021, Section 1505, as last amended
by Section 1, Chapter 66, O.S.L. 2025 (19 O.S. Supp.
2024, Section 1505), 20 O.S. 2021, Section 1304, 57
O.S. 2021, Section 549.1, 61 O.S. 2021, Section 139,
74 O.S. 2021, Section 85.3, 74 O.S. 2021, Section
85.5, as amended by Section 1, Chapter 102, O.S.L.
2024 (74 O.S. Supp. 2024, Section 85.5), 74 O.S.
2021, Section 85.5a, 74 O.S. 2021, Sections 85.7, as
last amended by Section 1, Chapter 339, O.S.L. 2023,
Section 85.12, as amended by Section 2, Chapter 339,
O.S.L. 2023 (74 O.S. Supp. 2024, Sections 85.7, and
85.12), 74 O.S. 2021, Section 85.17A, 74 O.S. 2021,
Section 85.33, 74 O.S. 2021, Section 85.33A, 74 O.S.
2021, Section 85.41A, 74 O.S. 2021, Section 85.44D.1,
74 O.S. 2021, Section 85.45j.11, 74 O.S. 2021,
Section 85.45k, 74 O.S. 2021, Section 85.54, 74 O.S.
2021, Section 85.58Q, 74 O.S. 2021, Section 85.58T,
74 O.S. 2021, Section 85.58V, 74 O.S. 2021, Sections
3001, as amended by Section 1, Chapter 252, O.S.L.

1 2022, 3001.1, as amended by Section 2, Chapter 252,
2 O.S.L. 2022, 3003, as amended by Section 3, Chapter
3 252, O.S.L. 2022, 3004, as amended by Section 4,
4 Chapter 252, O.S.L. 2022, 3004.1, as amended by
5 Section 5, Chapter 252, O.S.L. 2022, Section 3004.2,
6 as amended by Section 6, Chapter 252, O.S.L. 2022,
7 3005, as amended by Section 7, Chapter 252, O.S.L.
8 2022, 3006, as amended by Section 8, Chapter 252,
9 O.S.L. 2022, 3007, as amended by Section 9, Chapter
10 252, O.S.L. 2022, 3008, as amended by Section 10,
11 Chapter 252, O.S.L. 2022, 3009, as amended by Section
12 11, Chapter 252, O.S.L. 2022 (74 O.S. Supp. 2024,
13 Sections 3001, 3001.1, 3003, 3004, 3004.1, 3004.2,
14 3005, 3006, 3007, 3008, and 3009), 74 O.S. 2021,
15 Section 4191, and 80 O.S. 2021, Section 34.2, which
16 relate to the duties and responsibilities of the
17 Central Purchasing Division of the Office of
18 Management and Enterprise Services; replacing
19 references to the Central Purchasing Division and
20 that division director to the Department of Central
21 Purchasing and the Director of the Department of
22 Central Purchasing; providing for codification; and
23 providing an effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 61.10 of Title 74, unless there
18 is created a duplication in numbering, reads as follows:

19 A. There is hereby created the Department of Central
20 Purchasing. The Governor shall appoint a Director of the Department
21 of Central Purchasing, by and with the advice and consent of the
22 Oklahoma State Senate, who shall hold office at the pleasure of the
23 Governor and shall continue to serve until his or her successor is

1 | duly appointed and is qualified. The salary of the Director of the
2 | Department of Central Purchasing shall be set by the Governor.

3 | B. The Director of the Department of Central Purchasing, with
4 | the approval of the Governor, shall employ and make the appointment
5 | of such experts and assistants as may be necessary in the
6 | performance of the Director's duties as required by law.

7 | C. Beginning on the effective date of this act, the Central
8 | Purchasing Division of the Office of Management and Enterprise
9 | Services shall cease providing financial services related to the
10 | Oklahoma Central Purchasing Act, as well as procurement services,
11 | and transfer statutory responsibilities to the Department of Central
12 | Purchasing. The Department of Central Purchasing and the Director
13 | of the Department of Central Purchasing shall exercise the statutory
14 | powers, duties, and contractual responsibilities related to the
15 | Central Purchasing Act of the Central Purchasing Division of the
16 | Office of Management and Enterprise Services. All records,
17 | property, equipment, assets, monies, financial interests,
18 | liabilities, matters pending, and funds of the Central Purchasing
19 | Division of the Office of Management and Enterprise Services related
20 | to the Central Purchasing Act shall be transferred to the Department
21 | of Central Purchasing.

22 | D. The Department shall succeed to any relevant contractual
23 | rights or responsibilities incurred by the Central Purchasing
24 | Division of the Office of Management and Enterprise Services.

1 E. Rules promulgated by the Central Purchasing Division of the
2 Office of Management and Enterprise Services that are in effect on
3 the effective date of this act shall be immediately adopted and
4 enforced by the Department and the Director of the Department, and
5 the Department shall maintain the authority to further promulgate
6 and enforce rules.

7 F. The Department and the Office of Management and Enterprise
8 Services may enter into an agreement for the transfer of personnel
9 from the Office of Management and Enterprise Services to the
10 Department. Employees shall be transferred to the Department based
11 on necessity as determined by the Department and the Office of
12 Management and Enterprise Services. All employees who are
13 transferred to the Department shall not be required to accept a
14 lesser grade or salary than presently received. All employees shall
15 retain leave, sick, and annual time earned, and any retirement and
16 longevity benefits which have accrued during their tenure with the
17 Office of Management and Enterprise Services. The transfer of
18 personnel between the state agencies shall be coordinated with the
19 Office of Management and Enterprise Services.

20 G. The expenses incurred by the Department as a result of the
21 transfer required by this section shall be paid by the Office of
22 Management and Enterprise Services.

23 H. The Central Purchasing Division within the Office of
24 Management and Enterprise Services shall cease any services related

1 to the Oklahoma Central Purchasing Act after the transfer has been
2 completed.

3 I. The Office of Management and Enterprise Services shall
4 coordinate the transfer of records, property, equipment, assets,
5 funds, allotments, purchase orders, liabilities, outstanding
6 financial obligations, or encumbrances provided for in this section.

7 SECTION 2. AMENDATORY 19 O.S. 2021, Section 1505, as
8 amended by Section 2, Chapter 85, O.S.L. 2025 (19 O.S. Supp. 2025,
9 Section 1505), is amended to read as follows:

10 Section 1505. The following procedures shall be used by
11 counties for the requisition, purchase, lease-purchase, rental, and
12 receipt of supplies, materials, road and bridge construction
13 services, equipment, and other services, except for professional
14 services as defined in Section 803 of Title 18 of the Oklahoma
15 Statutes, for the maintenance, operation, and capital expenditures
16 of county government unless otherwise provided for by law.

17 A. The procedure for requisitioning items for county offices
18 shall be as follows:

19 1. The requesting department shall prepare a requisition form
20 in triplicate. The requisition shall contain any specifications for
21 an item as deemed necessary by the requesting department. The form
22 shall be prescribed by the State Auditor and Inspector;

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1 2. The requesting department shall retain a copy of the
2 requisition and forward the original requisition and a copy to the
3 county purchasing agent; and

4 3. Upon receipt of the requisition, the county purchasing
5 agent, within two (2) working days, shall begin the bidding and
6 purchasing process as provided for in this section. Nothing in this
7 section shall prohibit the transfer of supplies, materials, or
8 equipment between county departments upon a written agreement
9 between county officers.

10 B. The bid procedure for selecting a vendor for the purchase,
11 lease-purchase, or rental of supplies, materials, equipment, and
12 services used by a county shall be as follows:

13 1. The county purchasing agent shall request written
14 recommendations from all county officers pertaining to needed or
15 commonly used supplies, materials, road and bridge construction
16 services, equipment, and services. From such recommendations and
17 available requisition, purchase, or inventory records, the county
18 purchasing agent shall prepare a list of items needed or commonly
19 used by county officers. The county purchasing agent shall request
20 from the ~~Purchasing Division~~ Department of Central Purchasing or
21 from the Information Services Division in the case of information
22 technology and telecommunication goods and services of the Office of
23 Management and Enterprise Services all contracts quoting the price
24 the state is paying for the items. The county purchasing agent

1 shall either request the ~~Purchasing Division Department of Central~~
2 Purchasing or the Information Services Division of the Office of
3 Management and Enterprise Services, as applicable, to make the
4 purchase for the county or the county purchasing agent shall solicit
5 bids for unit prices on the items for periods of not to exceed
6 twelve (12) months in the manner described in paragraph 2 of this
7 subsection. If the county purchasing agent receives a requisition
8 for an item for which the county purchasing agent does not have a
9 current bid, the county purchasing agent shall request from the
10 ~~Purchasing Division Department of Central Purchasing~~ or the
11 Information Services Division of the Office of Management and
12 Enterprise Services, as applicable, all contracts quoting the price
13 the state is paying for the item. The county purchasing agent shall
14 either request the ~~Purchasing Division Department of Central~~
15 Purchasing or the Information Services Division of the Office of
16 Management and Enterprise Services, as applicable, to make the
17 purchase for the county or the county purchasing agent shall solicit
18 bids in the manner described in paragraph 2 of this subsection.
19 Nothing in this paragraph shall prohibit bids from being taken on an
20 item currently on a twelve-month bid list, at any time deemed
21 necessary by the county purchasing agent. Whenever the county
22 purchasing agent deems it necessary to take a bid on an item
23 currently on a twelve-month bid list, the reason for the bid shall
24 be entered into the minutes of the board of county commissioners;

1 2. Bids shall be solicited by mailing or emailing a notice to
2 all persons or firms who have made a written request of the county
3 purchasing agent that they be notified of such bid solicitation and
4 to all other persons or firms who might reasonably be expected to
5 submit bids. Notice of solicitation of bids shall also be published
6 one time in a newspaper of general circulation in the county.
7 Notices shall be mailed and published at least ten (10) days prior
8 to the date on which the bids are opened. Proof of the mailing or
9 emailing shall be made by the affidavit of the person mailing or
10 emailing the request for bids and shall be made a part of the
11 official records of the county purchasing agent. The notice shall
12 specify whether the county will consider written bids, electronic
13 bids, or both; the decision to exclusively consider either written
14 bids or electronic bids shall be determined pursuant to an
15 affirmative vote of the board of county commissioners. Whenever any
16 prospective supplier or vendor dealing in or listing for sale any
17 particular item or article required to be purchased or acquired by
18 sealed bids fails to enter or offer a sealed bid for three
19 successive bid solicitations, the name of the supplier or vendor may
20 be dropped from the mailing lists of the board of county
21 commissioners;

22 3. The sealed bids received from vendors and the state contract
23 price received from the applicable division of the Office of
24 Management and Enterprise Services shall be given to the county

1 clerk by the county purchasing agent. The county clerk shall
2 forward the sealed bids and state contract price, if any, to the
3 board of county commissioners;

4 4. The board of county commissioners, in an open meeting, shall
5 open the sealed bids and compare them to the state contract price.
6 The board of county commissioners shall select the lowest and best
7 bid based upon, if applicable, the availability of material and
8 transportation cost to the job site within thirty (30) days of the
9 meeting. For any special item not included on the list of needed or
10 commonly used items, the requisitioning official shall review the
11 bids and submit a written recommendation to the board before final
12 approval. The board of county commissioners shall keep a written
13 record of the meeting as required by law, and any time the lowest
14 bid was not considered to be the lowest and best bid, the reason for
15 such conclusion shall be recorded. Whenever the board of county
16 commissioners rejects the written recommendation of the
17 requisitioning official pertaining to a special item, the reasons
18 for the rejection shall be entered in their minutes and stated in a
19 letter to the requisitioning official and county purchasing agent;

20 5. The county purchasing agent shall notify the successful
21 bidders and shall maintain a copy of the notification. The county
22 purchasing agent shall prepare and maintain a vendors list
23 specifying the successful bidders and shall notify each county
24 officer of the list. The county purchasing agent may remove any

1 vendor from such list who refuses to provide goods or services as
2 provided by contract if the removal is authorized by the board of
3 county commissioners. The county purchasing agent may make
4 purchases from the remaining bidders for a price at or below the bid
5 price; and

6 6. When bids have been solicited as provided for by law and no
7 bids have been received, the procedure shall be as follows:

- 8 a. the county purchasing agent shall determine if
9 potential vendors are willing to commit to a firm
10 price for a reduced period of time, and, if such is
11 the case, the bid procedure described in this
12 subsection shall be followed,
- 13 b. if vendors are not willing to commit to a firm price
14 for a reduced period, the purchasing agent shall
15 solicit and record at least three quotes of current
16 prices available to the county and authorize the
17 purchase of goods or services based on the lowest and
18 best quote as it becomes necessary to acquire such
19 goods or services. The quotes shall be recorded on a
20 form prescribed by the State Auditor and Inspector and
21 shall be attached to the purchase order and filed with
22 the county clerk's copy of the purchase order. Any
23 time the lowest quote was not considered to be the
24 lowest and best quote, the reason for this conclusion

1 shall be recorded by the county purchasing agent and
2 transmitted to the county clerk, or
3 c. if three quotes are not available, a memorandum to the
4 county clerk from the county purchasing agent shall
5 describe the basis upon which a purchase is
6 authorized. The memorandum shall state the reasons
7 why the price for such a purchase is the lowest and
8 best under the circumstances. The county clerk shall
9 then attach the memorandum to the county clerk's copy
10 of the purchase order and file both in the office of
11 the county clerk.

12 C. After selection of a vendor, the procedure for the purchase,
13 lease-purchase, or rental of supplies, materials, road and bridge
14 construction services, equipment, and services used by a county
15 shall be as follows:

16 1. The county purchasing agent shall prepare a purchase order
17 in quadruplicate and submit it with a copy of the requisition to the
18 county clerk;

19 2. The county clerk shall then encumber the amount stated on
20 the purchase order and assign a sequential number to the purchase
21 order;

22 3. If there is an unencumbered balance in the appropriation
23 made for that purpose by the county excise board, the county clerk
24 shall so certify in the following form:

1 "I hereby certify that the amount of this encumbrance has been
2 entered against the designated appropriation accounts and that this
3 encumbrance is within the authorized available balance of the
4 appropriation.

5 Dated this _____ day of _____, 20__.

6 _____
7 County Clerk/Deputy

8 of _____ County".

9 In instances where it is impossible to ascertain the exact amount of
10 the indebtedness sought to be incurred at the time of recording the
11 encumbrance, an estimated amount may be used. No purchase order
12 shall be valid unless signed by the county purchasing agent and
13 certified by the county clerk; and

14 4. The county clerk shall file the original purchase order and
15 return three copies to the county purchasing agent who shall file a
16 copy, retain a copy for the county road and bridge inventory officer
17 if the purchase order is for the purchase of equipment, supplies, or
18 materials for the construction or maintenance of roads and bridges,
19 and submit the other copy to the receiving officer of the requesting
20 department.

21 D. 1. The procedure for the purchase of supplies, materials,
22 equipment, and services at public auction or by sealed bid to be
23 used by a county shall be as follows:

1 a. the county purchasing agent shall prepare a purchase
2 order in quadruplicate and submit it with a copy of
3 the requisition to the county clerk,
4 b. the county clerk shall then encumber the amount stated
5 on the purchase order and assign a sequential number
6 to the purchase order,
7 c. if there is an unencumbered balance in the
8 appropriation made for that purpose by the county
9 excise board, the county clerk shall so certify in the
10 following form:

11 "I hereby certify that the amount of this encumbrance
12 has been entered against the designated appropriation
13 accounts and that this encumbrance is within the
14 authorized available balance of the appropriation.

15 Dated this _____ day of _____, 20 ____.

16 _____
17 County Clerk/Deputy

18 of _____ County".

19 In instances where it is impossible to ascertain the
20 exact amount of the indebtedness sought to be incurred
21 at the time of recording the encumbrance, an estimated
22 amount may be used. No purchase order shall be valid
23 unless signed by the county purchasing agent and
24 certified by the county clerk, and

- d. the county clerk shall file the original purchase order and return three copies to the county purchasing agent who shall file a copy, retain a copy for the county road and bridge inventory officer if the purchase order is for the purchase of equipment, supplies, or materials for the construction or maintenance of roads and bridges, and submit the other copy to the receiving officer of the requesting department.

10 2. The procedure for the purchase of supplies, materials, and
11 equipment at a public auction when the purchase will be made with
12 the proceeds from the sale of county property at the same public
13 auction is as follows:

- a. the purchasing agent shall cause such items being sold to be appraised in the manner determined in Section 421.1 of this title,
- b. the county purchasing agent shall prepare a purchase order in quadruplicate and submit it with a copy of the requisition to the county clerk,
- c. the county clerk shall then encumber the amount of the appraised value and any additional funds obligated by the county on the purchase order and assign a sequential number to the purchase order,

d. the county clerk shall certify that the amount of the encumbrance is equal to the appraised value of the item being sold plus any additional funds obligated by the county. In effect, the recording of the encumbrance is an estimate that is authorized by law. No purchase order shall be valid unless signed by the county purchasing agent and certified by the county clerk,

e. the county clerk shall file the original purchase order and return three copies to the county purchasing agent who shall file a copy, retain a copy for the county road and bridge inventory officer if the purchase order is for the purchase of equipment, supplies, or materials for the construction or maintenance of roads and bridges, and submit the other copy to the receiving officer of the requesting department, and

f. a purchase shall not be bid until such time that the appraised item or items are sold. Any item or items purchased shall not exceed the appraised value plus any additional funds obligated by the county or the actual selling price of the item or items, whichever is the lesser amount.

E. The procedure for the receipt of items shall be as follows:

1 1. A receiving officer for the requesting department shall be
2 responsible for receiving all items delivered to that department;

3 2. Upon the delivery of an item, the receiving officer shall
4 determine if a purchase order exists for the item being delivered;

5 3. If no such purchase order has been provided, the receiving
6 officer shall refuse delivery of the item;

7 4. If a purchase order is on file, the receiving officer shall
8 obtain a delivery ticket, bill of lading, or other delivery document
9 and compare it with the purchase order. If any item is back-
10 ordered, the back order and estimated date of delivery shall be
11 noted in the receiving report;

12 5. The receiving officer shall complete a receiving report in
13 quadruplicate which shall state the quantity and quality of goods
14 delivered. The receiving report form shall be prescribed by the
15 State Auditor and Inspector. The person delivering the goods shall
16 acknowledge the delivery by signature, noting the date and time;

17 6. The receiving officer shall file the original receiving
18 report and submit:

19 a. a copy of the purchase order and a copy of the
20 receiving report to the county purchasing agent, and
21 b. a copy of the receiving report with the delivery
22 documentation to the county clerk;

23 7. The county purchasing agent shall file a copy of the
24 purchase order and a copy of the receiving report;

1 8. Upon receipt of the original receiving report and the
2 delivery documentation, the county clerk shall maintain a file until
3 such time as an invoice is received from the vendor;

4 9. The invoice shall state the name and address of the vendor
5 and must be sufficiently itemized to clearly describe each item
6 purchased, the unit price when applicable, the number or volume of
7 each item purchased, the total price, the total purchase price, and
8 the date of the purchase;

9 10. Upon receipt of an invoice, the county clerk shall compare
10 the following documents:

- 11 a. requisition,
- 12 b. purchase order,
- 13 c. invoice with noncollusion affidavit as required by
14 law,
- 15 d. receiving report, and
- 16 e. delivery document.

17 The documents shall be available for public inspection during
18 regular business hours; and

19 11. If the documents conform as to the quantity and quality of
20 the items, the county clerk shall prepare a warrant for payment
21 according to procedures provided for by law.

22 F. The following procedures are for the processing of purchase
23 orders:

1 1. The purchasing agent shall be allowed up to three (3) days
2 to process purchase orders to be presented to the board of county
3 commissioners for consideration and payment. Nothing herein shall
4 prevent the purchasing agent from processing or the board of county
5 commissioners from consideration and payment of utilities, travel
6 claims, and payroll claims;

7 2. The board of county commissioners shall consider the
8 purchase orders so presented and act upon the purchase orders, by
9 allowing in full or in part or by holding for further information or
10 disallowing the same. The disposition of purchase orders shall be
11 indicated by the board of county commissioners, showing the amounts
12 allowed or disallowed, and shall be signed by at least two members
13 of the board of county commissioners. Any claim held over for
14 further information shall be acted upon by allowing or disallowing
15 same at any future meeting of the board held within seventy-five
16 (75) days from the date of filing of the purchase order. Any
17 purchase order not acted upon within the seventy-five (75) days from
18 the date of filing shall be deemed to have been disallowed, but such
19 disallowance shall not prevent the refiling of the purchase order at
20 the proper time; and

21 3. Whenever any allowance, either in whole or in part, is made
22 upon any purchase order presented to the board of county
23 commissioners and is accepted by the person making the claim, such
24 allowance shall be a full settlement of the entire purchase order

1 and provided that the cashing of warrant shall be considered as
2 acceptance by the claimant.

3 G. The procedure upon consumption or disposal of supplies,
4 materials, or equipment shall be as follows:

5 1. For consumable road or bridge items or materials, a
6 quarterly report of the road and bridge projects completed during
7 such period shall be prepared and kept on file by the consuming
8 department. The quarterly report may be prepared and kept
9 electronically by the consuming department. The report shall
10 contain a record of the date, the place, and the purpose for the use
11 of the road or bridge items or materials. For purposes of
12 identifying county bridges, the board of county commissioners shall
13 number each bridge subject to its jurisdiction; and

14 2. For disposal of all equipment and information technology and
15 telecommunication goods which originally cost more than Five Hundred
16 Dollars (\$500.00), resolution of disposal shall be submitted by the
17 officer on a form prescribed by the Office of the State Auditor and
18 Inspector to the board of county commissioners. The approval of the
19 resolution of disposal shall be entered into the minutes of the
20 board.

21 H. Inventory forms and reports shall be retained for not less
22 than two (2) years after all audit requirements for the state and
23 federal government have been fulfilled and after any pending
24 litigation involving the forms and reports has been resolved.

1 I. The procedures provided for in this section shall not apply
2 when a county officer certifies that an emergency exists requiring
3 an immediate expenditure of funds. Such an expenditure of funds
4 shall not exceed Five Thousand Dollars (\$5,000.00). The county
5 officer shall give the county purchasing agent a written explanation
6 of the emergency. The county purchasing agent shall attach the
7 written explanation to the purchase order. The purchases shall be
8 paid by attaching a properly itemized invoice, as described in this
9 section, to a purchase order which has been prepared by the county
10 purchasing agent and submitting them to the county clerk for filing,
11 encumbering, and consideration for payment by the board of county
12 commissioners.

13 J. The county purchasing agent may authorize county purchasing
14 officers to make acquisitions through the state purchase card
15 program as authorized by the State Purchasing Director in accordance
16 with Section 85.5 of Title 74 of the Oklahoma Statutes and defined
17 in Section 85.2 of Title 74 of the Oklahoma Statutes. A purchase
18 cardholder shall sign a purchase card agreement prior to becoming a
19 cardholder and attend purchase card procedure training as required
20 by the State Purchasing Director. Complete descriptions of
21 purchases made by county government entities shall be published as
22 warrants required to be published pursuant to Sections 444 and 445
23 of this title.

24

1 K. Nothing in this section shall prohibit counties from
2 providing material and/or services bids on the twelve-month bid list
3 to all road and bridge projects and contracts. All non-road and
4 bridge related construction contracts shall refer to subsection A of
5 Section 103 of Title 61 of the Oklahoma Statutes.

6 SECTION 3. AMENDATORY 20 O.S. 2021, Section 1304, is
7 amended to read as follows:

8 Section 1304. A. Claims against the court fund shall include
9 only expenses lawfully incurred for the operation of the court in
10 each county. Payment of the expenses may be made after the claim is
11 approved by the district judge who is a member of the governing
12 board of the court fund and either the local court clerk or the
13 local associate district judge who is a member of the governing
14 board. No expenditures falling into any category listed in
15 paragraphs 1, 5, 6, 7 and 13 of subsection B of this section, may be
16 made without prior written approval of the Chief Justice of the
17 Supreme Court. The Supreme Court may provide by rule the manner in
18 which expenditures in the restricted categories shall be submitted
19 for approval. When allowing the expenditures in paragraphs 6 and 7
20 of subsection B of this section, the Chief Justice shall direct that
21 resort first be had to the surplus funds in the court fund in the
22 county involved.

23 B. The term "expenses" shall include the following items and
24 none others:

1 1. Compensation of bailiffs and employees of the court fund;

2 2. Juror fees and mileage, as well as overnight accommodation
3 and food expense for jurors kept together as set out in Section 81
4 et seq. of Title 28 of the Oklahoma Statutes;

5 3. Witness fees and mileage for witnesses subpoenaed by the
6 defense as set out in Section 81 et seq. of Title 28 of the Oklahoma
7 Statutes, except that expert witnesses for county indigent defenders
8 shall be paid a reasonable fee for their services;

9 4. Office supplies, books for records, postage, and printing;

10 5. Furniture, fixtures, and equipment;

11 6. Renovating, remodeling, and maintenance of courtrooms,
12 judge's chambers, clerk's offices, and other areas primarily used
13 for judicial functions;

14 7. Rent for courtroom facilities outside the courthouse;

15 8. Judicial robes;

16 9. Attorney fees for indigents in the trial court and on
17 appeal;

18 10. Compensation or reimbursement for services provided in
19 connection with an adult guardianship proceeding as provided by
20 Section 4-403 of Title 30 of the Oklahoma Statutes. Compensation
21 from the court fund for attorneys appointed pursuant to the Oklahoma
22 Guardianship Act shall be substantially the same as for attorneys
23 appointed in juvenile proceedings pursuant to Title 10A of the
24 Oklahoma Statutes. The compensation, if any, for guardians ad litem

1 appointed pursuant to the Oklahoma Guardianship Act shall not exceed
2 One Hundred Dollars (\$100.00);

3 11. Transcripts ordered by the court;

4 12. Necessary telephone expenses, gas, water, and electrical
5 utilities for the part of the county courthouse occupied by the
6 court and other areas used for court functions;

7 13. Security expenses for the part of the county courthouse
8 occupied by the court and other areas used for court functions;

9 14. The cost of publication notice in juvenile proceedings as
10 provided in Section 1-4-304 of Title 10A of the Oklahoma Statutes
11 and in termination of parental rights proceedings brought by the
12 state as provided in Section 1-4-905 of Title 10A of the Oklahoma
13 Statutes;

14 15. Interpreter fees;

15 16. Necessary travel expenses of the office of county indigent
16 defender approved by the court fund governing board;

17 17. Rent for county indigent defender's office outside of the
18 county courthouse;

19 18. Computer equipment for county indigent defender's office;

20 19. Reasonable compensation for expert, investigative, or other
21 services authorized by the court for indigent defendants not
22 represented by a county indigent defender or the Oklahoma Indigent
23 Defense System, if requested;

24

1 20. Necessary training for the judges and court personnel on
2 the court integrated computer system; and

3 21. Any other expenses now or hereafter expressly authorized by
4 statute.

5 C. Nothing in Section 1301 et seq. of this title shall prevent
6 the construction of additional courtrooms within existing courthouse
7 facilities, from funds other than the court fund.

8 D. Items of equipment, furniture, fixtures, printing, or
9 supplies that are available in the quantities desired from a
10 contract vendor's list for order or purchase by the court fund
11 through the facilities of the ~~Central Purchasing Division of the~~
12 ~~Office of Management and Enterprise Services Department of Central~~
13 Purchasing may not be purchased by any court fund at prices higher
14 than those approved by the Director of Central Purchasing.

15 SECTION 4. AMENDATORY 57 O.S. 2021, Section 549.1, is
16 amended to read as follows:

17 Section 549.1. A. The Department of Corrections is authorized
18 to purchase in the manner prescribed by law, facilities, equipment,
19 raw materials and supplies, and to engage the supervisory personnel
20 necessary to establish and maintain for this state at the penal
21 institutions, now or hereafter under the control of the State Board
22 of Corrections, industries and agricultural programs for the
23 utilization of services of prisoners in the manufacture, production,
24 processing or assembly of the articles or products as may be needed

1 for the construction, operation, maintenance or use of any office,
2 department, institution or agency supported in whole or in part by
3 this state and the political subdivisions thereof. Upon the request
4 of the Oklahoma Historical Society or the Oklahoma Tourism and
5 Recreation Department, the Department of Corrections shall provide
6 labor for and shall produce or manufacture articles, products or
7 materials needed for the repair, construction and maintenance of
8 historical sites and state parks including, but not limited to, the
9 production of materials and products needed for the reconstruction
10 of historic forts in the state.

11 B. All articles and services provided by the Department of
12 Corrections in the state correctional institutions, and not required
13 for use therein, shall be purchased as required by all offices,
14 departments, institutions, agencies, counties, schools, colleges,
15 universities, or political subdivisions or any agency thereof of
16 this state which are supported in whole or in part by this state, if
17 such article or service is the lowest and best bid, and no such
18 article or product may be purchased by any such office, department,
19 institution, agency, county, school, college, university, or
20 political subdivisions or agency thereof from any other source
21 unless excepted from the provisions as hereinafter provided.
22 Purchases made by the above-described state agencies may be made by
23 submitting the proper requisition through the ~~Office of Management~~
24 and ~~Enterprise Services~~ Department of Central Purchasing or by

1 direct order to the prison industries program of the Department of
2 Corrections.

3 C. If a requisition is received by the ~~Office of Management and~~
4 ~~Enterprise Services~~ Department of Central Purchasing or a direct
5 order is received by the Prison Industries Program of the Department
6 of Corrections from a state agency for any product or service
7 provided by the Department of Corrections and such product or
8 service is also available from a severely handicapped person or a
9 qualified nonprofit agency for the severely handicapped as provided
10 in Section 3001 et seq. of Title 74 of the Oklahoma Statutes at a
11 comparable price, then the product or service shall be purchased
12 from such severely handicapped person or qualified nonprofit agency
13 for the severely handicapped. If the product or service is not
14 available within the time period required by the purchasing state
15 agency, then such product or service shall be purchased from the
16 Department of Corrections under the provisions of this section.

17 D. All offices, departments, institutions, agencies, counties,
18 cities, districts or political subdivisions, schools, colleges, or
19 universities, or any agency thereof, or any agencies of the state,
20 which are supported in whole or in part by this state, may purchase
21 the goods or services manufactured, produced, processed or assembled
22 by the prison industries of the Department of Corrections through
23 their properly authorized purchasing authority, or they may place a
24

1 direct order without competitive bid, with the prison industries of
2 the Department of Corrections.

3 E. Not-for-profit corporations or charitable agencies chartered
4 in Oklahoma or other states may purchase such goods and services.

5 Units of the federal government and units of government in other
6 states may also purchase such goods and services. All entities
7 which contract with the state, its political units, its agencies,
8 its public institutions, not-for-profit corporations or charitable
9 agencies chartered in Oklahoma may purchase goods or services from
10 the Department of Corrections which are used in the performance of
11 such contracts. Any church located in the State of Oklahoma may
12 also purchase goods and services manufactured, produced, processed
13 or assembled by the prison industries of the Department of
14 Corrections. Any community action agency or council of governments
15 within this state may purchase housing components produced by the
16 prison industries of the Department of Corrections. Nothing shall
17 prohibit the Department from bidding on portions of a state contract
18 which are subcontracted by the primary contractor.

19 F. Others are prohibited from purchasing such goods and
20 services, with the exception that all surplus agricultural products
21 may be sold on the open market or bartered and exchanged for other
22 food, feed or seed products of comparable value. The Department of
23 Corrections shall keep complete and accurate records of any such
24 barters or exchanges in such form and manner as the ~~Office of~~

1 ~~Management and Enterprise Services~~ Department of Central Purchasing
2 may prescribe. A copy of such records shall be filed with the
3 ~~Office of Management and Enterprise Services~~ Department of Central
4 Purchasing no later than March 1 of each year for all barters or
5 exchanges occurring in the previous calendar year. When
6 practicable, the Department of Corrections may accept and process
7 agricultural products from the public and may export the resulting
8 products to foreign markets.

9 G. Products manufactured, produced, processed or assembled by
10 the Department of Corrections shall be of styles, patterns, designs
11 and quantities specified by the Department of Corrections except
12 where the same have been or may be specified by the ~~Office of~~
13 ~~Management and Enterprise Services~~ Department of Central Purchasing.
14 Products shall be provided at a fair market price for comparable
15 quality.

16 H. State agencies shall make maximum utilization of such
17 products and no similar products shall be purchased by state
18 agencies from any other source than the Department of Corrections
19 except as provided in subsection C of this section, unless the
20 Department of Corrections certifies to the State Purchasing Director
21 that it is not able to provide products, and no claim therefor shall
22 be paid without such certification.

23 I. Exceptions from the mandatory provisions hereof may be made
24 in any case where, in the opinion of the ~~Office of Management and~~

1 ~~Enterprise Services~~ Department of Central Purchasing, the article or
2 product does not meet the reasonable requirements of or for such
3 offices, departments, institutions or agencies, or in any case where
4 the requisitions made cannot be reasonably complied with. No such
5 offices, departments, institutions or agencies, shall be allowed to
6 evade the intent and meaning of this section by slight variations
7 from standards adopted by the ~~Office of Management and Enterprise~~
8 ~~Services~~ Department of Central Purchasing, when the articles,
9 services or products produced, manufactured, processed or assembled
10 by the Department of Corrections, in accordance with established
11 standards, are reasonably adapted to the actual needs of such
12 offices, departments, institutions or agencies.

13 J. In the event of disagreement between the Department of
14 Corrections and the State Purchasing Director on fairness of price,
15 ability to comply to specifications, reasonableness of
16 specifications and timeliness of delivery of products the matter
17 will be resolved by the Purchasing Director of the ~~Office of~~
18 ~~Management and Enterprise Services~~ Department of Central Purchasing.

19 K. The ~~Office of Management and Enterprise Services~~ Department
20 of Central Purchasing shall cooperate with the Department of
21 Corrections in seeking to promote for use in state agencies and by
22 all other eligible customers, the products manufactured and services
23 provided by the prison industries.

24

1 L. The Department of Corrections shall prepare catalogs
2 containing the description of all goods and services provided, with
3 the pricing of each item. Copies of such catalog shall be sent by
4 the Department of Corrections to all offices, departments,
5 institutions and agencies of this state, and shall be available for
6 distribution to all other eligible customers. In lieu of preparing
7 and distributing catalogs, the Department of Corrections may
8 maintain a website that contains a description of all goods and
9 services provided, with the pricing of each item.

10 M. The Department of Corrections may keep confidential:

11 1. Business plans, feasibility studies, financing proposals,
12 marketing plans, financial statements or trade secrets submitted by
13 a person or entity seeking a corrections industries partnership with
14 the Department of Corrections;

15 2. Proprietary information of the business submitted to the
16 Department of Corrections for the purposes of a corrections
17 industries partnership, and related confidentiality agreements
18 detailing the information or records designated as confidential; and

19 3. The Department of Corrections may not keep confidential
20 information when and to the extent that the person or entity
21 submitting the information consents to disclosure.

22 SECTION 5. AMENDATORY 61 O.S. 2021, Section 139, as
23 amended by Section 1, Chapter 455, O.S.L. 2025, (61 O.S. Supp. 2025,
24 Section 139), is amended to read as follows:

1 Section 139. A. In addition to any authority to enter an
2 agreement pursuant to the Interlocal Cooperation Act, any school
3 district, including a technology school district, may either
4 participate in, sponsor, conduct or administer a cooperative
5 purchasing agreement for the acquisition of any commodities or
6 services with one or more public agencies in accordance with an
7 agreement entered into between the participants. Such cooperative
8 purchasing may include, but is not limited to, joint or multiparty
9 contracts between public agencies and open-ended state public
10 procurement contracts. Cooperative purchasing shall not include new
11 construction. For cooperative purchasing agreements, all funds
12 shall be applied toward chargeables under the agreements or toward
13 direct administrative costs associated with the agreements. No
14 entity shall take a percentage of the funds as profit under the
15 cooperative purchasing agreement.

16 B. Any local public procurement unit may either participate in,
17 sponsor, conduct or administer a cooperative or piggybacking
18 purchasing agreement for the acquisition of any commodities or
19 services, including construction services, with one (1) or more
20 public procurement units or external procurement units in accordance
21 with an agreement entered into between the participants. Such
22 cooperative purchasing may include, but is not limited to, joint or
23 multiparty contracts between public procurement units and open-ended
24 state public procurement unit contracts which are made available to

1 local public procurement units. Purchases made in accordance with
2 this subsection by a local public procurement unit shall be required
3 to satisfy any procurement regulation, including Oklahoma Central
4 Purchasing Act, the Public Competitive Bidding Act of 1974, the
5 Oklahoma State Finance Act, related administrative rules and federal
6 regulations that may apply due to the federal source of the funding
7 for the anticipated purchase.

8 C. For purposes of this section, the following definitions
9 apply:

10 1. "Local public procurement unit" shall mean, *inter alia*, any
11 county, city, town, state agency, and any other subdivision of the
12 state or public unit or agency thereof;

13 2. "External procurement unit" shall mean any buying
14 organization in the United States not located in this state which,
15 if located in this state, would qualify as a public procurement
16 unit;

17 3. "Cooperative or piggybacking purchasing agreement" shall
18 mean an agreement between a local public procurement unit and
19 another local public procurement unit or an external procurement
20 unit to authorize the use of a contract procured by one of the
21 parties to the agreement to benefit the other party to the
22 agreement. This term shall also mean an agreement that provides
23 access to a product or service that is lower in price than a
24 comparable product or service that is available through the usage of

1 a statewide, multistate or multigovernmental contract issued by the
2 ~~Purchasing Division of the Office of Management and Enterprise~~
3 ~~Services~~ Department of Central Purchasing; and

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

8 D. Nothing in this section shall supersede the obligation of a
9 state agency to adhere to rules regarding statewide contracts issued
10 by the ~~Purchasing Division~~ Department of Central Purchasing.

11 Neither shall any provision of this section be construed to waive
12 the obligation of a state agency to utilize a mandatory purchasing
13 contract as designated by the ~~State Purchasing~~ Director of the
14 Department of Central Purchasing.

15 SECTION 6. AMENDATORY 74 O.S. 2021, Section 85.3, is
16 amended to read as follows:

17 Section 85.3. A. There is hereby created and established ~~in~~
18 the ~~Office of Management and Enterprise Services~~ a Purchasing
19 Division Department of Central Purchasing, the administrative head
20 of which shall be the ~~State Purchasing~~ Director of the Department of
21 Central Purchasing.

22 B. The Director of the ~~Office of Management and Enterprise~~
23 ~~Services~~ Department of Central Purchasing shall hire the State
24 Purchasing Director. The State Purchasing Director shall:

1 1. Have a thorough knowledge of office practices and buying
2 procedures in volume purchasing; and
3 2. Be a graduate of an accredited college or university with at
4 least five (5) years' experience in commercial or governmental
5 purchasing, or, in lieu of such education, have at least ten (10)
6 years' experience in commercial or governmental purchasing.

7 C. The State Purchasing Director, ~~with the approval of the~~
8 ~~Director of the Office of Management and Enterprise Services~~, may
9 employ such personnel as may be necessary to exercise authority and
10 perform duties under the Oklahoma Central Purchasing Act.

11 D. All activities of any state agency, department, or
12 institution relating to purchasing shall be under the direction of
13 the Department of Central Purchasing Division unless otherwise
14 provided by the Oklahoma Central Purchasing Act.

15 E. The Department of Central Purchasing Division shall provide
16 qualified personnel to assist the purchasing activities of state
17 agencies, departments, and institutions, as required by the Oklahoma
18 Central Purchasing Act.

19 F. Each state agency, department, and institution shall
20 designate personnel to coordinate its purchasing functions with the
21 Department of Central Purchasing Division.

22 G. The Department of Central Purchasing Division may, if the
23 needs of a state agency, department, or institution are such as to
24 so require, employ, and establish a buyer within a state agency.

1 The state agency shall pay all expenses incurred for any buyer
2 required to be placed within its agency.

3 H. Except as provided in Section 34.36 of Title 62 of the
4 Oklahoma Statutes, no state agency subject to the Oklahoma Central
5 Purchasing Act shall have or maintain a purchasing section without
6 the prior approval in writing of the Department of Central
7 Purchasing Division unless otherwise provided in the Oklahoma
8 Central Purchasing Act nor shall such purchasing section perform
9 purchasing functions for another state agency.

10 I. The Department of Central Purchasing Division shall make
11 acquisitions from industries operated by the Department of
12 Corrections pursuant to the provisions of Section 549.1 of Title 57
13 of the Oklahoma Statutes.

14 J. None of the personnel authorized by this section shall:

15 1. Sell to or otherwise provide acquisitions to any state
16 agency subject to the Oklahoma Central Purchasing Act;
17 2. Be employees, partners, associates, officers, or
18 stockholders in or with any business entity that sells to or
19 otherwise provides acquisitions to any state agency subject to the
20 Oklahoma Central Purchasing Act;

21 3. Be employed in any of the positions authorized by this
22 section if a spouse or child owns any stock in any business entity
23 which sells to or otherwise provides acquisitions to any agency
24 subject to the Oklahoma Central Purchasing Act;

1 4. Be employed in any of the positions authorized by this
2 section if a relative within the third degree of consanguinity or
3 affinity sells to or otherwise provides acquisitions to any state
4 agency subject to the Oklahoma Central Purchasing Act or is
5 interested in any business entity which does so, except that such
6 relative, excluding a spouse or child, may own Twenty-five Thousand
7 Dollars (\$25,000.00) worth or less, or one percent (1%) or less,
8 whichever amount is the lesser amount, of the stock of a corporation
9 or any business entity which sells to or otherwise provides
10 acquisitions to any state agency subject to the Oklahoma Central
11 Purchasing Act; or

12 5. Violate applicable rules of the Ethics Commission
13 promulgated pursuant to Article XXIX of the Oklahoma Constitution
14 that relate to accepting gifts from a vendor or a vendor's agent.

15 SECTION 7. AMENDATORY 74 O.S. 2021, Section 85.5, as
16 amended by Section 1, Chapter 102, O.S.L. 2024 (74 O.S. Supp. 2025,
17 Section 85.5), is amended to read as follows:

18 Section 85.5. A. Except as otherwise provided in this section,
19 ~~the State Purchasing Director, under the supervision of the Director~~
20 ~~of the Office of Management and Enterprise Services, Director of the~~
21 Department of Central Purchasing shall have sole and exclusive
22 authority and responsibility for all acquisitions by state agencies.
23 In order to carry out the powers and duties of the Chief Information
24 Officer and the Information Services Division, the Chief Information

1 Officer shall have sole and exclusive authority and responsibility
2 for all acquisitions of information and telecommunications
3 technology, equipment, software, products and related peripherals
4 and services by state agencies. Public construction contracts are
5 awarded pursuant to Title 61 of the Oklahoma Statutes and are not
6 subject to the Oklahoma Central Purchasing Act.

7 B. Every state agency shall determine its own quantitative
8 needs for acquisitions and the general class or nature of the
9 acquisitions. The ~~State Purchasing~~ Director of the Department of
10 Central Purchasing, after consultation with the requisitioning state
11 agency, shall have authority to determine the particular brand,
12 model or other specific classification of each acquisition and to
13 draft or invoke pursuant to the Oklahoma Central Purchasing Act
14 specifications establishing the requirements for all necessary
15 contracts or purchase orders.

16 C. The Director of the ~~Office of Management and Enterprise~~
17 Services Department of Central Purchasing shall have authority and
18 responsibility to promulgate rules in connection with provisions of
19 the Oklahoma Central Purchasing Act for:

20 1. The time, manner, authentication and form of making
21 requisitions for acquisitions;

22 2. Inspection, analysis and testing of acquisitions or samples
23 bidders submit prior to contract award;

24

1 3. The form and manner of submission for bids or proposals a
2 bidder submits and the manner of accepting and opening bids or
3 proposals;

4 4. The conditions under which the ~~Office of Management and~~
5 ~~Enterprise Services~~ Department of Central Purchasing shall require
6 written contracts for acquisitions, the conditions under which
7 acquisitions may be made on an open account basis, and the
8 conditions and manner of negotiating such contracts;

9 5. Obtaining acquisitions produced by state institutions;

10 6. Conditions under which any of the rules herein authorized
11 may be waived;

12 7. The amounts of and deposits on any bond or other surety
13 required to be submitted with a bid or contract for the furnishing
14 of acquisitions and the conditions under which such bond or other
15 surety shall be required;

16 8. The manner and conditions of delivery, which shall include
17 the designation of the common carrier of property to be used to
18 transport acquisitions whenever a common carrier is used, and the
19 acceptance, or rejection, including check of quantities, of any
20 acquisitions;

21 9. The form of any estimate, order or other information
22 required in connection with an acquisition;

23 10. State agency acquisitions not exceeding the acquisition
24 threshold amount requiring competitive bid to ensure

1 competitiveness, fairness, compliance with the Oklahoma Central
2 Purchasing Act and Section 3001 et seq. of this title, which relates
3 to the State Use Committee. The rules shall include separate
4 provisions based on acquisition amounts as follows:

5 a. state agencies shall make acquisitions not exceeding

6 Twenty-five Thousand Dollars (\$25,000.00), provided
7 the acquisition process is fair and reasonable and is
8 conducted pursuant to rules authorized pursuant to
9 this section, and

10 b. state agencies with certified procurement officers and

11 internal purchasing procedures found compliant by the
12 ~~State Purchasing~~ Director of the Department of Central
13 Purchasing may make acquisitions in excess of the fair
14 and reasonable acquisition threshold amount provided
15 for in this section and not exceeding Two Hundred
16 Fifty Thousand Dollars (\$250,000.00), pursuant to
17 rules authorized by this section;

18 11. Training by the ~~State Purchasing~~ Director of the Department

19 of Central Purchasing of state agency procurement officers;

20 12. Review and audit by the ~~State Purchasing~~ Director of the

21 Department of Central Purchasing of state agency acquisitions;

22 13. The conditions for increasing acquisition limits for state
23 agencies which have had a prior reduction in acquisition limit by

1 the Director of the ~~Office of Management and Enterprise Services~~
2 Department of Central Purchasing;

3 14. Use of a state purchase card to make acquisitions;

4 15. Any other matter or practice which relates to the
5 responsibilities of the ~~State Purchasing~~ Director of the Department
6 of Central Purchasing;

7 16. Conditions for determination and authorization of
8 acquisition threshold amounts of state agencies;

9 17. The form and manner of verification by suppliers that the
10 supplier is eligible to do business in the State of Oklahoma and has
11 obtained all necessary permits and licenses, pursuant to applicable
12 provisions of law; and

13 18. Payment procedure rules for state agencies to adhere to
14 regarding statewide contracts.

15 D. The ~~State Purchasing~~ Director of the Department of Central
16 Purchasing shall provide training for state agency procurement
17 officials, and other procurement staff, and is authorized to require
18 retraining of such procurement personnel found not to be in
19 compliance with provisions of the Oklahoma Central Purchasing Act or
20 associated rules. The training may include any matters related to
21 state procurement practices. State agency purchasing officials that
22 demonstrate proficiency shall be certified as "certified procurement
23 officers" by the ~~State Purchasing~~ Director of the Department of
24 Central Purchasing and shall be authorized to make acquisitions

1 pursuant to provisions of the Oklahoma Central Purchasing Act and
2 associated rules. The ~~State Purchasing~~ Director of the Department
3 of Central Purchasing may assess a fee to state agencies for the
4 training that does not exceed each state agency's pro rata share of
5 the costs the ~~State Purchasing~~ Director of the Department of Central
6 Purchasing incurs to provide the training.

7 E. The ~~State Purchasing~~ Director of the Department of Central
8 Purchasing shall review state agency acquisitions for the purposes
9 of:

10 1. Ensuring state agency compliance with provisions of the
11 Oklahoma Central Purchasing Act;

12 2. Ensuring state agency compliance with rules promulgated by
13 the ~~Office of Management and Enterprise Services~~ Director of the
14 Department of Central Purchasing pursuant to the Oklahoma Central
15 Purchasing Act;

16 3. Ensuring state agency compliance with provisions of Section
17 3001 et seq. of this title pertaining to the State Use Committee;

18 4. Reporting any acquisition by any state agency found not to
19 be in compliance with those sections or rules to the Director of the
20 ~~Office of Management and Enterprise Services~~ Department of Central
21 Purchasing;

22 5. A determination by the ~~State Purchasing~~ Director of the
23 Department of Central Purchasing to reduce a state agency's
24 acquisition authority amount when the state agency is found not to

1 be in compliance with the Oklahoma Central Purchasing Act or
2 associated rules or requirements of the ~~State Purchasing~~ Director of
3 the Department of Central Purchasing pursuant to this section; and

4 6. A determination by the ~~State Purchasing~~ Director of the
5 Department of Central Purchasing to increase a state agency's
6 acquisition authority amount after the agency cures deficiencies in
7 connection with a prior reduction in the authority amount by the
8 ~~State Purchasing~~ Director of the Department of Central Purchasing.

9 F. Based on written findings ~~and when recommended by the State~~
10 ~~Purchasing~~ Director of the Department of Central Purchasing, the
11 ~~Director of the Office of Management and Enterprise Services~~ may:

12 1. Transmit written findings by the ~~State Purchasing~~ Director
13 the Department of Central Purchasing to the State Auditor and
14 Inspector for further investigation, indicating purchasing
15 procedures that do not conform to the Oklahoma Central Purchasing
16 Act or associated rules; or

17 2. Transmit to the Attorney General or the State Auditor and
18 Inspector for further investigation a report made by the Director of
19 the Department of Central Purchasing that they reasonably believes
20 believe indicates that an action that constitutes a criminal
21 violation pursuant to the Oklahoma Central Purchasing Act or other
22 laws has been taken by any state agency, state agency official,
23 bidder or supplier.

1 G. 1. Pursuant to the requirements of the Oklahoma Central
2 Purchasing Act, the Director of the Department of Central Purchasing
3 shall have authority to enter into any statewide, multistate or
4 multigovernmental contract. The state entity designated by law, as
5 specified in Section 1010.3 of Title 56 of the Oklahoma Statutes,
6 shall participate in the purchase of pharmaceuticals available
7 through such multistate or multigovernmental contracts entered into
8 by the ~~State Purchasing~~ Director of the Department of Central
9 Purchasing.

10 2. Whenever it appears advantageous to the state or to any
11 state agency to purchase or otherwise acquire any acquisition which
12 may be offered for sale by the United States government or any
13 agency thereof, the ~~State Purchasing~~ Director of the Department of
14 Central Purchasing may execute a contract for the acquisition with
15 the federal government or federal agency and may also utilize
16 contracts awarded by other governmental agencies including, but not
17 limited to, agencies of the United States of America.

18 3. The ~~State Purchasing~~ Director of the Department of Central
19 Purchasing may designate, for use by state agencies, contracts
20 described in this subsection and contracts awarded on behalf of one
21 or more state agencies.

22 4. Prior to exercising the authority to cancel a contract, the
23 ~~State Purchasing~~ Director of the Department of Central Purchasing
24 may authorize renegotiation of an existing contract with an

1 incumbent supplier for the purposes of obtaining more favorable
2 terms for the state.

3 5. The ~~State Purchasing~~ Director of the Department of Central
4 Purchasing shall have the authority to designate certain contracts
5 for state agencies as statewide contracts and mandatory statewide
6 contracts. In order to carry out the powers and duties of the Chief
7 Information Officer and Information Services Division, the Chief
8 Information Officer shall have the authority to designate certain
9 information technology and telecommunication contracts as statewide
10 contracts and mandatory statewide contracts and may negotiate
11 consolidation contracts, enterprise agreements and high technology
12 system contracts in lieu of or in conjunction with competitive
13 bidding procedures to reduce acquisition cost.

14 6. The ~~State Purchasing~~ Director of the Department of Central
15 Purchasing may publish such specifications relating to materials,
16 supplies, equipment and services to be acquired for the state as may
17 best promote competition and apprise potential suppliers of the type
18 of product desired.

19 H. 1. The ~~State Purchasing~~ Director of the Department of
20 Central Purchasing may develop and test new contracting policies,
21 procedures and innovations that hold potential for making state
22 procurement more effective and efficient and identify, and make
23 recommendations to the Legislature of, any appropriate changes in
24 law. Such development and testing, proof of concept, pilot project

1 or other similar test shall not be considered an acquisition subject
2 to the Oklahoma Central Purchasing Act.

3 2. The ~~State Purchasing~~ Director of the Department of Central
4 Purchasing is authorized to explore and investigate cost savings in
5 energy, resource usage and maintenance contracts and to identify and
6 negotiate contract solutions including, but not limited to, pilot
7 projects to achieve cost savings for this state.

8 I. The ~~State Purchasing~~ Director of the Department of Central
9 Purchasing shall endeavor to satisfy state agencies in terms of
10 cost, quality and timeliness of the delivery of acquisitions by
11 using bidders who have a record of successful past performance,
12 promoting competition, minimizing administrative operating costs and
13 conducting business with integrity, fairness and openness.

14 J. The ~~State Purchasing~~ Director of the Department of Central
15 Purchasing shall undertake the following:

16 1. The use of electronic commerce pursuant to the Oklahoma
17 Online Bidding Act for solicitation, notification and other
18 purchasing processes;

19 2. Monitoring rules promulgated pursuant to the Oklahoma
20 Central Purchasing Act to ensure that the rules satisfy the
21 interests of the state, are clear and succinct and encourage
22 efficiency in purchasing processes;

23 3. A program to identify suppliers' performance records;

1 4. Development of criteria for the use of sealed bid
2 contracting procedures, negotiated contracting procedures, selection
3 of types of contracts, postaward administration of purchase orders
4 and contracts, addendums, termination of contracts and contract
5 pricing;

6 5. Continual improvement in the quality of the performance of
7 the ~~Purchasing Division~~ Department of Central Purchasing through
8 training programs, management seminars, development of benchmarks
9 and key management indicators, and development of standard
10 provisions, clauses and forms;

11 6. The ~~State Purchasing~~ Director of the Department of Central
12 Purchasing shall prescribe standardized contract forms and all other
13 forms or certifications requisite or deemed necessary by the ~~State~~
14 ~~Purchasing~~ Director of the Department of Central Purchasing to
15 effectuate the provisions of the Oklahoma Central Purchasing Act and
16 associated rules;

17 7. Development of programs to improve customer relations
18 through training, improved communications and appointment of
19 technical representatives;

20 8. Provide for public two-way communication between procurement
21 officers and potential bidders who have questions regarding a
22 request for proposal or invitation to bid; and

1 9. Determine whether and to what extent information included in
2 a bid or similar offer is confidential and reject all requests to
3 disclose the information so designated.

4 K. The ~~State Purchasing~~ Director of the Department of Central
5 Purchasing may utilize and authorize state agencies to utilize
6 reverse auctions to obtain acquisitions.

7 L. Prior to the award of a contract to a supplier, the ~~State~~
8 ~~Purchasing~~ Director of the Department of Central Purchasing shall
9 verify, pursuant to applicable provisions of law, that the supplier
10 is eligible to do business in this state by confirming registration
11 with the Secretary of State and franchise tax payment status
12 pursuant to Sections 1203 and 1204 of Title 68 of the Oklahoma
13 Statutes. The provisions of this subsection shall be applicable
14 only if the contract amount is Two Hundred Fifty Thousand Dollars
15 (\$250,000.00) or greater.

16 M. On an annual basis, the ~~State Purchasing~~ Director of the
17 Department of Central Purchasing shall transmit to the Governor,
18 Speaker of the House of Representatives and President Pro Tempore of
19 the Senate a report documenting the savings realized by each agency
20 through the application of best spend practices including the
21 collection and tracking of spend data, strategic sourcing programs
22 and implementation of managed and mandatory statewide contracts and
23 include in the report information regarding emergency acquisitions.

24

1 N. The acquisition threshold amount applicable to an
2 acquisition made pursuant to this act or associated rules shall not
3 apply to state agency purchases; provided, the ~~State Purchasing~~
4 Director of the Department of Central Purchasing determines the
5 agency has subject matter experts on staff having the specialized
6 expertise to purchase goods or services, the agency possesses the
7 necessary legal and procurement staff to procure and monitor the
8 contracts and ~~provided the Director of the Office of Management and~~
9 ~~Enterprise Services shall certify~~ certifies that the proposed
10 purchase does not conflict with consolidated statewide spend
11 initiatives.

12 1. Nothing in this subsection shall give an agency authority to
13 issue statewide, multistate or multigovernmental contracts.

14 2. Agencies making purchases pursuant to this subsection shall:

15 a. be responsible for contracts awarded pursuant to this
16 subsection, which includes, but may not be limited to,
17 contract management, protest costs, all costs
18 connected with or incurred as a result of the
19 contract, including legal representation,

20 b. comply with rules and policies of the ~~Office of~~
21 ~~Management and Enterprise Services~~ Department of
22 Central Purchasing, and

23 c. report contracts issued pursuant to this subsection to
24 the ~~Office of Management and Enterprise Services~~,

~~Central Purchasing Division~~ Department of Central
Purchasing, on a quarterly basis.

3 3. Purchases made in accordance with this subsection shall be
4 made pursuant to rules authorized by this section.

5 0. The ~~State Purchasing~~ Director, with approval by the Director
6 of the Office of Management and Enterprise Services, of the
7 Department of Central Purchasing is authorized to make use of any
8 state laboratories for the tests and analyses authorized in this
9 section wherever practicable and to use private laboratories or the
10 laboratories of another government agency if it is impracticable to
11 use state laboratories. The ~~State Purchasing~~ Director of the
12 Department of Central Purchasing is further authorized to cooperate
13 in test and analysis programs or agreements with other states or the
14 United States government and to accept federal funds and funds
15 donated by private endowments or foundations for the purpose of
16 participation in such testing programs.

17 P. The ~~State Purchasing~~ Director of the Department of Central
18 Purchasing shall require all contractors or subcontractors who have
19 entered into a contract with a public employer to submit an
20 affidavit that the contractor or subcontractor is in compliance with
21 the provisions of Section 1313 of Title 25 of the Oklahoma Statutes.
22 If the ~~State Purchasing~~ Director of the Department of Central
23 Purchasing determines that a contractor or subcontractor has
24 knowingly submitted a false affidavit:

1 1. The contractor or subcontractor shall be liable for an
2 administrative penalty of Five Thousand Dollars (\$5,000.00) for the
3 first offense, which shall increase by Two Thousand Dollars
4 (\$2,000.00) for each subsequent offense; and

5 2. The public employer or the Department of Central Purchasing
6 may terminate the contract with the contractor or subcontractor.

7 SECTION 8. AMENDATORY 74 O.S. 2021, Section 85.5a, is
8 amended to read as follows:

9 Section 85.5a. A. Except for the state fleet card, the state
10 purchase card program administered by the ~~Purchasing Division~~
11 Department of Central Purchasing is the only card program authorized
12 for use by state agencies.

13 B. On a monthly basis the ~~State Purchasing~~ Director of the
14 Department of Central Purchasing and institutions of higher
15 education shall provide to the Director ~~of the Office of Management~~
16 ~~and Enterprise Services (OMES)~~ a complete listing in electronic
17 format of all transactions paid by a state purchase card. The list
18 shall contain the name of the purchaser and purchasing agency,
19 amount of purchase and all available descriptions of items
20 purchased.

21 C. Upon receipt of the list described in subsection B of this
22 section, the Director ~~of the OMES~~ of the Department of Central
23 Purchasing shall allow the public access to the list in searchable
24

1 format through its website defined in Section 46 of Title 62 of the
2 Oklahoma Statutes.

3 D. The ~~State Purchasing~~ Director of the Department of Central
4 Purchasing may authorize the use of a state purchase card for
5 acquisitions within the following parameters:

6 1. No limit on the amount of the transaction for the following:

7 a. purchases from statewide contracts and from contracts
8 awarded by the ~~State Purchasing~~ Director for the
9 benefit of a state agency,
10 b. utilities,
11 c. interagency payments,
12 d. emergency acquisitions; provided, requirements to
13 establish an emergency pursuant to Section 5 85.41A of
14 this ~~act~~ title or other applicable statute or rule
15 have been met, and
16 e. professional services as defined in Section 803 of
17 Title 18 of the Oklahoma Statutes; and

18 2. For any other transaction with a state purchase card, the
19 transaction shall not exceed the greater of Five Thousand Dollars
20 (\$5,000.00) or the limit determined by the ~~State Purchasing~~
21 Director, not to exceed the fair and reasonable acquisition
22 threshold amount.

23 E. The ~~State Purchasing~~ Director of the Department of Central
24 Purchasing may authorize personnel of the Department of Commerce,

1 upon a finding by the Secretary of Commerce that such personnel have
2 a legitimate need therefore, to utilize a state purchase card for
3 acquisitions for programs, functions or services essential to the
4 mission of the agency while traveling on Department of Commerce
5 business in foreign locations with transaction limits not to exceed
6 Thirty-five Thousand Dollars (\$35,000.00). The purchase cardholders
7 are required to sign a purchase card agreement prior to becoming a
8 cardholder and to attend purchase card procedure training. The
9 Department of Commerce will conduct quarterly internal auditing on
10 all purchase card transactions associated with business and travel
11 in foreign locations.

12 SECTION 9. AMENDATORY 74 O.S. 2021, Section 85.7, as
13 last amended by Section 1, Chapter 339, O.S.L. 2023 (74 O.S. Supp.
14 2025, Section 85.7), is amended to read as follows:

15 Section 85.7. A. 1. Except as otherwise provided by the
16 Oklahoma Central Purchasing Act, or associated rules:

- a. every state agency shall initiate all acquisitions by the submission of a requisition to the ~~Purchasing Division~~ Department of Central Purchasing, and
- b. no state agency shall make an acquisition for an amount exceeding Fifty Thousand Dollars (\$50,000.00) or the limit determined by the ~~State Purchasing~~ Director of the Department of Central Purchasing pursuant to rules authorized by Section 85.5 of this

title, not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00), without submission of a requisition to the ~~Purchasing Division Department of Central Purchasing~~ for issuance of a solicitation for the acquisition on behalf of the agency. Any exemption from competitive bid requirements of the Oklahoma Central Purchasing Act further exempts the acquisition from requisition requirements of the act.

2. The ~~State Purchasing~~ Director of the Department of Central

10 Purchasing may request additional information necessary to
11 adequately review a requisition to ensure compliance with the
12 Oklahoma Central Purchasing Act and associated rules. If the State
13 Purchasing Director of the Department of Central Purchasing
14 determines that an acquisition is not necessary, excessive or not
15 justified, the State Purchasing Director shall deny the requisition.

16 3. The provisions of the Oklahoma Central Purchasing Act shall
17 not preclude a state agency from:

- a. accepting gifts or donations in any manner authorized by law, or
- b. making an acquisition for itself without submitting a requisition under this section when authorized in writing by the ~~State Purchasing~~ Director.

23 4. Any acquisition a state agency makes shall be made pursuant
24 to the Oklahoma Central Purchasing Act and associated rules. No

1 agency shall use split purchasing for the purpose of evading the
2 requirement of competitive bidding or other requirement of the
3 Oklahoma Central Purchasing Act or associated rules. Violation of
4 this provision shall be cause for discipline of a state employee up
5 to and including termination.

6 5. The ~~State Purchasing~~ Director may waive or increase the
7 limit authorized for a state agency acquisition made pursuant to its
8 own competitive procedures. To perfect an otherwise valid
9 acquisition inadvertently exceeding the limit due to administrative
10 error by a state agency or unforeseeable circumstances, the state
11 agency shall request a limited waiver or increase upon the discovery
12 of the error or circumstance to the ~~State Purchasing~~ Director. The
13 ~~State Purchasing~~ Director shall report requests for waivers or
14 increases, stating the amount and whether the request was granted or
15 denied, upon request by the Governor, President Pro Tempore of the
16 Senate or Speaker of the House of Representatives.

17 6. Competitive bidding requirements of this section shall not
18 be required for the following:

19 a. contracts for master custodian banks or trust
20 companies, investment managers, investment
21 consultants, and actuaries for the state retirement
22 systems, and Oklahoma Employees Insurance and Benefits
23 Board, pension fund management consultants of the
24 Oklahoma State Pension Commission and the

Commissioners of the Land Office, examiners, experts, or consultants for the Insurance Department whose job duties are tied to Market Conduct Exams, Financial Exams, and Insurance Business Transfers, financial institutions to act as depositories and managers of the Oklahoma College Savings Plan accounts and other professional services as defined in Section 803 of Title 18 of the Oklahoma Statutes. When requested by the Oklahoma Employees Insurance and Benefits Board or the governing board of a state retirement system authorized to hire investment managers, the Purchasing Division shall assist in the process of selecting investment managers,

b. a state agency making such an acquisition shall notify the ~~State Purchasing~~ Director of the Department of Central Purchasing within fifteen (15) days following completion of the acquisition. A list of the exempt contracts shall be provided, upon request, to a member of the Appropriations and Budget Committee of the House of Representatives or Appropriations Committee of the Senate,

c. purchases of postage by state agencies made pursuant to Sections 90.1 through 90.4 of this title,

- d. a sole source acquisition made in compliance with Section 85.44D.1 of this title,
- e. an acquisition for design, development, communication or implementation of the state employees flexible benefits plan; provided, procedures used for the acquisition are consistent with competitive bid requirements of the Oklahoma Central Purchasing Act and associated rules,
- f. any acquisition of a service which the ~~Office of Management and Enterprise Services~~ Department of Central Purchasing has approved as qualifying for a fixed and uniform rate, subject to the following:
 - (1) the Purchasing Division Department of Central Purchasing shall establish criteria and guidelines for those services which may qualify for a fixed and uniform rate,
 - (2) fixed and uniform rate contracts authorized by this subsection shall be limited to contracts for those services furnished to persons directly benefiting from such services and shall not be used by a state agency to employ consultants or to make other acquisitions,
 - (3) any state agency desiring to have a service qualified for a fixed and uniform rate shall make

1 a request for service qualification to the ~~State~~
2 ~~Purchasing~~ Director of the Department of Central
3 Purchasing and submit documentation to support
4 the request. The ~~State Purchasing~~ Director shall
5 approve or deny the request. If approved, the
6 state agency shall establish a fixed and uniform
7 rate for the service. No contracts shall be
8 entered into by the state agency until the rate
9 has been approved by the state agency in a public
10 hearing. The proposed rate shall be clearly and
11 separately identified in the agenda of the state
12 agency for the hearing and shall be openly and
13 separately discussed during such hearing. The
14 state agency shall notify the ~~State Purchasing~~
15 Director of its pending consideration of the
16 proposed rate at least thirty (30) days before
17 the state agency is to meet on the proposed rate
18 and deliver a copy of the agenda items concerning
19 the proposed rate with supporting documentation.
20 The ~~State Purchasing~~ Director shall communicate
21 any observation, reservation, criticism or
22 recommendation to the agency, either in person at
23 the time of the hearing or in writing delivered
24 to the state agency before or at the time of the

hearing. The ~~State Purchasing~~ Director shall specifically note in the written communications whether the Director has determined the rate to be excessive. Any written communication presented in the absence of the ~~State Purchasing~~ Director shall be presented orally during the public hearing. Whether made in person or in writing, any comment made by the ~~State Purchasing~~ Director shall be made a part of the minutes of the hearing in full,

(4) within two (2) weeks after the convening of the Legislature, the administrative officer of the state agency shall furnish to the Speaker of the House of Representatives, the President Pro Tempore of the Senate and to any member of the House or Senate, if requested by the member, a complete list of all of the types of services paid for by uniform fixed rates, the amount of the rate last approved by the agency for the service and the number of contracts then in existence for each type of service. Any rate which has been determined to be excessive by the ~~State Purchasing~~ Director shall be specifically identified in the list by the state agency, and

(5) at any time, the ~~State Purchasing~~ Director may review, suspend or terminate a contract entered into pursuant to the provisions of this paragraph if the Director determines the contract is not necessary, is excessive or is not justified,

g. an acquisition for a client of the State Department of Rehabilitation Services; provided, the agency develops and maintains standards for such an acquisition. The agency may elect to utilize the Department of Central Purchasing for an acquisition. The standards shall foster economy, provide a short response time, include appropriate safeguards, require written records, ensure appropriate competition for economical and efficient purchasing and shall be approved by the State Purchasing Director of the Department of Central Purchasing,

h. structured settlement agreements entered into by the Attorney General's office in order to settle any lawsuit involving the state, the Legislature, any state agency or any employee or official of the state if:

(1) prior to entering into any contract for the services of an entity to administer a structured settlement agreement, the Attorney General

1 receives proposals from at least three entities
2 engaged in providing such services, and
3 (2) the selection of a particular entity is made on
4 the basis of the response to the request which is
5 the most economical and provides the most
6 competent service which furthers the best
7 interests of the state,
8 i. an acquisition by a state agency pursuant to a
9 contract the ~~State Purchasing~~ Director of the
10 Department of Central Purchasing enters into on behalf
11 of a state agency or awards and designates for use by
12 state agencies,
13 j. an acquisition by the Committee for Sustaining
14 Oklahoma's Energy Resources pursuant to a contract
15 with a local supplier for the purpose of holding a
16 special event or an exhibition throughout the state,
17 and
18 k. contracts for the study, analysis, and planning, as
19 reasonably necessary, to aid in determining the
20 feasibility of leasing, selling, or privately managing
21 or developing the property or facilities under control
22 of the Oklahoma Tourism and Recreation Commission.
23 The Commission shall be exempt from the competitive
24 bidding requirements of the Oklahoma Central

1 Purchasing Act for the purpose of soliciting,
2 negotiating, and effectuating such a contract or
3 contracts; provided, that the ~~State Purchasing~~
4 Director of the Department of Central Purchasing shall
5 review and audit all uses of the exemptions provided
6 in this subparagraph biannually.

7 7. Notwithstanding any other provision of law, an acquisition
8 may be exempted from requirements of this section by the ~~State~~
9 Purchasing Director of the Department of Central Purchasing when in
10 the ~~State Purchasing~~ Director's discretion unusual, time-sensitive
11 or unique circumstances exist which make such exemption in the best
12 and immediate interest of the state. As used in this subsection,
13 "~~State Purchasing~~ Director or Director of the Department of Central
14 Purchasing" shall not mean a designee. Any such acquisitions shall
15 be described in detail and publicly posted as a data feed. The
16 description shall include the name of the supplier, cost of the
17 acquisition, reason for exemption and, as applicable, detailed
18 comparison of the acquisition with comparable items, any identified
19 cost savings resulting from the acquisition and a description of
20 benefits to the state. The ~~State Purchasing~~ Director of the
21 Department of Central Purchasing shall take no action under the
22 provisions of this subsection prior to such public posting.

23 B. Competitively bid acquisitions shall be awarded to the
24 lowest and best, or best value, bidder or bidders.

1 C. Bids for an amount requiring submission of requisitions to
2 the ~~Purchasing Division~~ Department of Central Purchasing shall be
3 evaluated by the ~~Purchasing Division~~ Department of Central
4 Purchasing and the state agency receiving the acquisition. At a
5 minimum, cost and technical expertise shall be considered in
6 determining the lowest and best, or best value, bid. Further, the
7 state agency shall present its evaluation and recommendation to the
8 ~~State Purchasing~~ Director of the Department of Central Purchasing.
9 A documented evaluation report containing the evaluations of the
10 ~~Purchasing Division~~ Department of Central Purchasing or the state
11 agency shall be completed prior to the contract award and such
12 report shall be a matter of public record.

13 D. Except as otherwise specifically provided by law, the
14 acquisition of food items or food products by a state agency from a
15 public trust created pursuant to Sections 176 through 180.56 of
16 Title 60 of the Oklahoma Statutes shall comply with competitive
17 bidding requirements of this section.

18 E. Cooperative contracts shall not be utilized unless the
19 purchasing cooperative and its affiliated suppliers have complied
20 with competitive bid requirements of the Oklahoma Central Purchasing
21 Act and associated rules.

22 F. Notwithstanding any provision of the Oklahoma Central
23 Purchasing Act, in all cases where federal granted funds are
24 involved, the federal laws, rules and regulations thereto shall

1 govern to the extent necessary to inure to the benefit of such funds
2 to this state.

3 G. A court order requiring an acquisition by a state agency,
4 whether or not such state agency is subject to the Oklahoma Central
5 Purchasing Act, shall not invalidate competitive bidding procedures
6 required by this section if such court order does not specify a
7 specific supplier. Any such acquisition shall comply with
8 competitive bid procedures.

9 SECTION 10. AMENDATORY 74 O.S. 2021, Section 85.12, as
10 amended by Section 2, Chapter 339, O.S.L. 2023 (74 O.S. Supp. 2025,
11 Section 85.12), is amended to read as follows:

12 Section 85.12. A. The provisions of this section shall not be
13 construed to affect any law relating to fiscal or accounting
14 procedure except as they may be directly in conflict herewith; and
15 all claims, warrants, and bonds shall be examined, inspected, and
16 approved as now provided by law.

17 B. Except as otherwise provided by this section, the
18 acquisitions specified in this subsection shall be made in
19 compliance with Section 85.39 of this title and purchasing card
20 program requirements but are not subject to other provisions of the
21 Oklahoma Central Purchasing Act:

22 1. Food and other products produced by state institutions and
23 agencies;

1 2. The printing or duplication of publications or forms of
2 whatsoever kind or character by state agencies if the work is
3 performed upon their own equipment by their own employees. Pursuant
4 to this paragraph, the state agency may only use equipment owned or
5 leased by the agency and may only utilize that equipment for
6 printing services required by the agency in performing duties
7 imposed upon the agency or functions authorized to be performed by
8 the agency. Any use of the equipment by the agency pursuant to an
9 agreement or contract with any other entity resulting in delivery of
10 intermediate or finished products to the entity purchasing or using
11 the products shall be subject to the provisions of the Oklahoma
12 Central Purchasing Act and associated rules;

13 3. Department of Transportation and Transportation Commission
14 contractual services or right-of-way acquisitions, contracts awarded
15 pursuant to bids let by the Transportation Commission for the
16 maintenance or construction of streets, roads, highways, bridges,
17 underpasses or any other transportation facilities under the control
18 of the Department of Transportation, equipment or material
19 acquisitions accruing to the Department of Transportation required
20 in federal aid contracts and acquisitions for public-service-type
21 announcements initiated by the Department of Transportation, but not
22 acquisitions for advertising, public relations or employment
23 services;

24

1 4. Utility services regulated by a state or federal regulatory
2 commission, municipal ordinance or an Indian Tribal Council;

3 5. Acquisitions by the University Hospitals Authority. The
4 Authority shall develop standards for the acquisition of products
5 and services and may elect to utilize the ~~Purchasing Division~~
6 Department of Central Purchasing. The standards shall foster
7 economy and short response time and shall include appropriate
8 safeguards and record-keeping requirements to ensure appropriate
9 competition and economical and efficient purchasing;

10 6. Custom harvesting by the Department of Corrections for the
11 Department or its institutions;

12 7. Subject to prior approval of the ~~State~~ Purchasing Director
13 of the Department of Central Purchasing, acquisitions from private
14 prison suppliers which are subject to the contracting procedures of
15 Section 561 of Title 57 of the Oklahoma Statutes;

16 8. Acquisitions by the Oklahoma Municipal Power Authority;

17 9. Acquisitions by the Grand River Dam Authority;

18 10. Acquisitions by rural water, sewer, gas or solid waste
19 management districts created pursuant to the Rural Water, Sewer, Gas
20 and Solid Waste Management Districts Act;

21 11. Acquisitions by the Oklahoma Ordnance Works Authority, the
22 Northeast Oklahoma Public Facilities Authority or the Midwestern
23 Oklahoma Development Authority;

1 12. Expenditure of monies appropriated to the State Board of
2 Education for local and state-supported financial support of public
3 schools, except monies allocated therefrom for the Administrative
4 and Support Functions of the State Department of Education;

5 13. Expenditure of monies appropriated to the State Department
6 of Rehabilitation Services for educational programs or educational
7 materials for the Oklahoma School for the Blind and the Oklahoma
8 School for the Deaf;

9 14. Contracts entered into by the Oklahoma Department of Career
10 and Technology Education for the development, revision or updating
11 of vocational curriculum materials, and contracts entered into by
12 the Oklahoma Department of Career and Technology Education for
13 training and supportive services that address the needs of new or
14 expanding industries;

15 15. Contracts entered into by the Oklahoma Center for the
16 Advancement of Science and Technology for professional services;

17 16. Contracts entered into by the Oklahoma Department of
18 Commerce pursuant to the provisions of Section 5066.4 of this title;

19 17. Acquisitions made by the Oklahoma Historical Society from
20 monies used to administer the White Hair Memorial;

21 18. Purchases of pharmaceuticals available through a multistate
22 or multigovernmental contract if such pharmaceuticals are or have
23 been on state contract within the last fiscal year, and the terms of
24 such contract are more favorable to the state or agency than the

1 terms of a state contract for the same products, as determined by
2 the ~~State Purchasing~~ Director of the Department of Central
3 Purchasing. The state entity designated by law, as specified in
4 Section 1010.3 of Title 56 of the Oklahoma Statutes, shall
5 participate in the purchase of pharmaceuticals available through
6 such contracts;

7 19. Contracts for managed health care services entered into by
8 the state entity designated by law or the Department of Human
9 Services, as specified in paragraph 1 of subsection A of Section
10 1010.3 of Title 56 of the Oklahoma Statutes;

11 20. Acquisitions by a state agency through a General Services
12 Administration contract or other federal contract if the
13 acquisitions are not on current statewide contract or the terms of
14 the federal contract are more favorable to the agency than the terms
15 of a statewide contract for the same products;

16 21. Acquisitions of clothing for clients of the Department of
17 Human Services and acquisitions of food for group homes operated by
18 the Department of Human Services;

19 22. Acquisitions by the Oklahoma Energy Resources Board;

20 23. Acquisitions of clothing for juveniles in the custody of
21 the Office of Juvenile Affairs and acquisitions of food for group
22 homes operated by the Office of Juvenile Affairs;

23
24

1 24. State contracts for flexible benefits plans pursuant to the
2 Oklahoma State Employees Benefits Act, Section 1361 et seq. of this
3 title;

4 25. Acquisitions by the Oklahoma Department of Securities to
5 investigate, initiate, or pursue administrative, civil or criminal
6 proceedings involving potential violations of the acts under the
7 Department's jurisdiction and acquisitions by the Oklahoma
8 Department of Securities for its investor education program;

9 26. Acquisitions for resale in and through canteens operated
10 pursuant to Section 537 of Title 57 of the Oklahoma Statutes and
11 canteens established at an institution or facility operated by the
12 Office of Juvenile Affairs;

13 27. Acquisitions by the Oklahoma Boll Weevil Eradication
14 Organization for employment and personnel services, and for
15 acquiring sprayers, blowers, traps and attractants related to the
16 eradication of boll weevils in this state or as part of a national
17 or regional boll weevil eradication program;

18 28. Contracts entered into by the Oklahoma Indigent Defense
19 System for expert services pursuant to the provisions of subsection
20 D of Section 1355.4 of Title 22 of the Oklahoma Statutes;

21 29. Acquisitions by the Oklahoma Correctional Industries and
22 the Agri-Services programs of the Department of Corrections of raw
23 materials, component parts and other products, any equipment
24 excluding vehicles, and any services excluding computer consultant

1 services used to produce goods or services for resale and for the
2 production of agricultural products;

3 30. Contracts entered into by the Department of Human Services
4 for provision of supported living services to members of the
5 plaintiff class in Homeward Bound, Inc., et al. v. The Hissom
6 Memorial Center, et al., Case Number 85-C-437-E, United States
7 District Court for the Northern District of Oklahoma;

8 31. Contracts negotiated by the Office of Juvenile Affairs with
9 designated Youth Services Agencies and the Oklahoma Association of
10 Youth Services, or another Oklahoma nonprofit corporation whose
11 membership consists solely of Youth Services Agencies and of whom at
12 least a majority of Youth Services Agencies are members, pursuant to
13 the provisions of Section 2-7-306 of Title 10A of the Oklahoma
14 Statutes and contracts entered into by the Department of Human
15 Services pursuant to Section 1-9-110 of Title 10A of the Oklahoma
16 Statutes with designated Youth Services Agencies;

17 32. Contracts for annuities for structured settlements provided
18 for in Section 158 of Title 51 of the Oklahoma Statutes;

19 33. Subject to subsection E of this section, purchases made
20 from funds received by local offices administered by the Department
21 of Human Services or administered by the Office of Juvenile Affairs
22 for ~~fund-raising~~ fundraising activities and donations for the
23 benefit of clients and potential clients at the local offices where
24

1 such purchases may not otherwise be paid for from appropriated
2 funds;

3 34. Acquisitions by the Oklahoma Historical Society for
4 restoration of historical sites and museums although the agency may
5 elect to utilize the ~~Purchasing Division~~ Department of Central
6 Purchasing for an acquisition with supplier and bid selection being
7 the prerogative of the agency, based on the supplier's documented
8 qualifications and experience; and

9 35. Acquisitions of clothing and food for patients in the care
10 of the J.D. McCarty Center for Children with Developmental
11 Disabilities.

12 C. Pursuant to the terms of a contract the ~~State Purchasing~~
13 Director of the Department of Central Purchasing enters into or
14 awards, a state agency, common school, municipality, rural fire
15 protection district, county officer or any program contract,
16 purchase, acquisition or expenditure that is not subject to the
17 provisions of the Oklahoma Central Purchasing Act, may, unless
18 acting pursuant to a contract with the state that specifies
19 otherwise, make use of statewide contracts and the services of the
20 ~~Purchasing Division~~ the Department of Central Purchasing and the
21 ~~State Purchasing~~ Director of the Department of Central Purchasing.
22 Any political subdivision or rural fire protection district may
23 designate the ~~State Purchasing~~ Director of the Department of Central

1 Purchasing as its agent for any acquisition from a statewide
2 contract or otherwise available to the state.

3 D. The ~~State Purchasing~~ Director of the Department of Central
4 Purchasing shall review and audit all the purchasing procedures of
5 acquisitions listed in subsection B of this section to ensure that
6 the procedures are being followed. Nothing in this section shall be
7 construed to authorize bid splitting as prohibited by the Oklahoma
8 Central Purchasing Act.

9 E. With respect to the Department of Human Services or the
10 Office of Juvenile Affairs, as applicable, monies received by
11 fundraising activities or donations from the local office, vending
12 operations administered by employees of the agency and all other
13 nonrestricted cash and cash-equivalent items received by employees
14 of the agency shall be deposited in the agency special account
15 established for this purpose. The deposits shall be made at local
16 banking institutions approved by the State Treasurer.

17 F. With respect to the Oklahoma Tourism and Recreation
18 Department, no exemption provided in this section shall be construed
19 for the use of leasing or contracting for state-owned restaurants in
20 Oklahoma state parks. The Department shall not be required to
21 purchase furniture, fixtures, equipment, and soft goods associated
22 with decor of the state parks, lodges, golf courses, and tourism
23 information centers from Oklahoma prisons or reformatories.

1 Additionally, the Department shall not be required to make
2 purchases pursuant to a statewide contract for materials, supplies,
3 and services necessary for the efficient and economical operation of
4 revenue-generating, Department-operated facilities, including those
5 made to maintain or improve guest perception of quality and service;
6 provided, that the ~~State Purchasing~~ Director of the Department of
7 Central Purchasing shall review and audit all uses of the exemptions
8 provided in this subsection biannually.

9 SECTION 11. AMENDATORY 74 O.S. 2021, Section 85.17A, is
10 amended to read as follows:

11 Section 85.17A. A. State agencies shall not discriminate
12 against bidders from states or nations outside Oklahoma, except as
13 provided by this section. State agencies shall reciprocate the
14 bidding preference given by other states or nations to bidders
15 domiciled in their jurisdictions for acquisitions pursuant to the
16 Oklahoma Central Purchasing Act. The ~~Purchasing Division Department~~
17 of Central Purchasing shall provide to certified procurement
18 officers information regarding the reciprocity provided by other
19 states. This information shall be used by state agencies in
20 evaluating bids.

21 B. For purposes of awarding contracts state agencies shall:

22 1. Give preference to goods and services that have been
23 manufactured or produced in this state if the price, fitness,
24 availability and quality are otherwise equal;

1 2. Give preference to goods and services from another state
2 over foreign goods or services if goods or services manufactured or
3 produced in this state are not equal in price, fitness, availability
4 or quality; and

5 3. Add a percent increase to the bid of a nonresident bidder
6 equal to the percent, if any, of the preference given to the bidder
7 in the state in which the bidder resides.

8 SECTION 12. AMENDATORY 74 O.S. 2021, Section 85.33, is
9 amended to read as follows:

10 Section 85.33. A. There is hereby created in the State
11 Treasury a revolving fund for the ~~Office of Management and~~
12 ~~Enterprise Services~~ Department of Central Purchasing to be
13 designated the "Registration of State Vendors Revolving Fund". The
14 fund shall consist of any monies received from fees collected in
15 accordance with subsection B of this section. The revolving fund
16 shall be a continuing fund, without legislative appropriation, not
17 subject to fiscal year limitations, and shall be under the control
18 and management of the ~~Office of Management and Enterprise Services~~
19 Department of Central Purchasing. Expenditures from the
20 Registration of State Vendors Revolving Fund shall be budgeted and
21 expended pursuant to the laws of the state and the statutes relating
22 to public finance. The fund shall be used to defray the costs of
23 the ~~Purchasing Division~~ Department of Central Purchasing. Warrants
24 for expenditures from the fund shall be drawn by the State

1 Treasurer, based on claims signed by an authorized employee or
2 employees of the Office, and approved for payment by the Director of
3 the ~~Office of Management and Enterprise Services~~ Department of
4 Central Purchasing.

5 B. The ~~Office of Management and Enterprise Services~~ Department
6 of Central Purchasing may collect a fee of Twenty-five Dollars
7 (\$25.00) to register suppliers that desire to do business with this
8 state through the ~~Purchasing Division~~ Department of Central
9 Purchasing. The suppliers shall register separately for each
10 commodity list. Each registration shall entitle the supplier to be
11 on that list for one (1) year, to receive all bid notices in that
12 classification for that period. All fees collected in accordance
13 with this subsection shall be deposited in the revolving fund
14 created in subsection A of this section.

15 SECTION 13. AMENDATORY 74 O.S. 2021, Section 85.33A, is
16 amended to read as follows:

17 Section 85.33A. A. There is hereby created in the State
18 Treasury a revolving fund for the ~~Office of Management and~~
19 Enterprise Services Department of Central Purchasing to be
20 designated the "Contract Management Revolving Fund". The fund shall
21 consist of any monies received from fees, levies or rebates the
22 ~~Office~~ Department receives in accordance with subsection B of this
23 section. The revolving fund shall be a continuing fund, without
24 legislative appropriation, not subject to fiscal year limitations,

1 and shall be under the control and management of the ~~Office of~~
2 ~~Management and Enterprise Services~~ Department of Central Purchasing.
3 Expenditures from the Contract Management Revolving Fund shall be
4 budgeted and expended pursuant to the laws of ~~the~~ this state and the
5 statutes relating to public finance. The fund shall be used to
6 defray the costs of the ~~Purchasing Division~~ Department of Central
7 Purchasing. Warrants for expenditures from the fund shall be drawn
8 by the State Treasurer, based on claims signed by an authorized
9 employee or employees of the ~~Office~~ Department of Central
10 Purchasing, and approved for payment by the Director of the ~~Office~~
11 ~~of Management and Enterprise Services~~ Department of Central
12 Purchasing.

13 B. The ~~State Purchasing~~ Director of the Department of Central
14 Purchasing may enter into or award contracts that provide a contract
15 management fee, levy or rebate to the ~~Office of Management and~~
16 ~~Enterprise Services~~ Department of Central Purchasing. The ~~State~~
17 Purchasing Director of the Department of Central Purchasing shall
18 ensure that a contract that provides a management fee, levy or
19 rebate provides value to acquiring agencies exceeding open market
20 acquisition costs.

21 SECTION 14. AMENDATORY 74 O.S. 2021, Section 85.41A, is
22 amended to read as follows:

23 Section 85.41A. A. Emergency acquisitions shall be made in
24 compliance with Section 85.39 of ~~Title 74 of the Oklahoma Statutes~~

1 this title regarding internal purchasing procedures, Section 85.5a
2 of ~~Title 74 of the Oklahoma Statutes~~ this title regarding the
3 purchasing card program and applicable rules but are not subject to
4 other provisions of the Oklahoma Central Purchasing Act. The
5 following are emergency acquisitions:

6 1. An acquisition declared as an emergency by a state agency;
7 2. An acquisition to alleviate a serious environmental
8 emergency if, upon receiving a request from the Chair of the
9 Corporation Commission and after having examined the facts and
10 circumstances of the case, the Governor certifies in writing the
11 existence of a serious environmental emergency. For the purposes of
12 this subsection, "serious environmental emergency" means a situation
13 within the jurisdiction of the Commission:

14 a. in which serious damage to the environment will
15 quickly occur if immediate action is not taken and the
16 damage will be so significant that the urgent need for
17 action outweighs the need for competitive bids, or

18 b. a situation in which human life or safety is in
19 imminent danger or significant property interests are
20 threatened with imminent destruction;

21 3. An acquisition of livestock through a market agency, dealer,
22 commission house or livestock auction market bonded or licensed
23 under federal or state law for the acquisition or collection of

24

1 | semen or embryos, and for the placement of embryos into recipient
2 | livestock;

3 | 4. An acquisition by a state agency pursuant to a contract with
4 | the United States Army Corps of Engineers for emergency response or
5 | to protect the public health, safety or welfare;

6 | 5. An acquisition declared by the ~~Office of Management and~~
7 | ~~Enterprise Services (OMES)~~ Department of Central Purchasing Risk
8 | Management Administrator pursuant to Section 85.58A of ~~Title 74 of~~
9 | ~~the Oklahoma Statutes this title~~; or

10 | 6. A condition certified by the Governor as an emergency.

11 | B. Notwithstanding a state agency's exemption from requisition
12 | and competitive bidding requirements, a state agency making an
13 | emergency acquisition shall timely provide the ~~Purchasing Division~~
14 | ~~within OMES~~ Department of Central Purchasing all information
15 | required by the ~~State Purchasing~~ Director of the Department of
16 | Central Purchasing.

17 | SECTION 15. AMENDATORY 74 O.S. 2021, Section 85.44D.1,
18 | is amended to read as follows:

19 | Section 85.44D.1. A. 1. A sole source acquisition is exempt
20 | from competitive bidding procedures as a sole source or requirements
21 | of this act, but a sole brand acquisition is subject to such
22 | competitive bidding requirements.

23 | 2. For each sole source or sole brand acquisition, the state
24 | agency shall retain in the state agency's acquisition file and

1 attach to the requisition, a certification signed by the chief
2 administrative officer of the state agency, in the following form:

3 SOLE SOURCE OR SOLE BRAND ACQUISITION

4 CERTIFICATION

5 STATE AGENCY _____

6 SUPPLIER NAME _____

7 SUPPLIER ADDRESS _____

8 SUPPLIER CONTACT INFORMATION _____

9 In connection with the attached requisition or contract, I
10 hereby affirm that

11 (Name of Supplier)

12 is the only business entity singularly qualified to provide the
13 acquisition, or is the only brand satisfying the acquisition
14 requirements, for the following reasons:

15 _____

16 _____

17 _____

18 _____

19 _____

20 The following is a brief description of all efforts made to
21 verify that the acquisition qualifies as a sole source or sole brand
22 acquisition:

23 _____

24 _____

1 _____
2 _____
3 _____

4 I understand that the signing of this certification knowing such
5 information to be false may result in forfeiture of my position and
6 ineligibility for appointment to or employment in state service for
7 a period of five (5) years following forfeiture of position.

8 _____

9 (Chief administrative officer)

10 3. A court order requiring a particular acquisition, but which
11 does not specify a brand or supplier shall not substitute for the
12 certification required by this section or otherwise invalidate
13 acquisition procedures required by the Oklahoma Central Purchasing
14 Act.

15 4. Upon a determination by the ~~Director of the Office of~~
16 ~~Management and Enterprise Services~~ Director of the Department of
17 Central Purchasing that there are reasonable grounds to believe that
18 a violation of this section has occurred, the Director shall send
19 findings to the Attorney General that support the determination.
20 The Attorney General shall review the findings and determine whether
21 to investigate or prosecute the person.

22 5. Prior to approving a requisition for a sole source or sole
23 brand acquisition, the ~~Purchasing Division~~ Department of Central
24 Purchasing shall require the signed certification documenting the

1 need for a sole source or sole brand acquisition and shall retain
2 the certification in accordance with state record retention
3 requirements.

4 6. For a sole source or sole brand acquisitions exceeding the
5 fair and reasonable acquisition threshold amount and not requiring
6 submission of a requisition to the ~~Purchasing Division Department of~~
7 Central Purchasing, the state agency's certified procurement officer
8 shall retain, in the acquisition file, the signed certification
9 documenting the need for the sole source or sole brand acquisition
10 in accordance with state record retention requirements.

11 B. By the fifteenth day of each month, or the first working day
12 thereafter, the ~~Office of Management and Enterprise Services~~
13 Department of Central Purchasing shall provide a report to:

14 1. The Speaker of the House of Representatives and the
15 President Pro Tempore of the Senate; and
16 2. Any member of the Legislature requesting the report.

17 The report shall detail sole source and sole brand acquisitions
18 by state agencies for the month prior to the month preceding the
19 submission of the report. The report shall be titled "Monthly Sole
20 Source and Sole Brand Contracting Report of Oklahoma State Agencies"
21 and indicate the time period of the report. The report shall be
22 provided by the Director of the ~~Office of Management and Enterprise~~
23 Services Department of Central Purchasing or the Director's
24 designee. The report shall be in columnar database format and shall

1 include at least the following fields of information: state agency
2 number; state agency name; date created by the ~~Office of Management~~
3 and ~~Enterprise Services~~ Department of Central Purchasing for the
4 requisition; date of either approval or disapproval of the
5 requisition; if disapproved, the reason why such contract
6 requisition was disapproved; estimated amount of the requisition
7 acquisition; purchase order amount; purchase order number; actual
8 business name of supplier; supplier federal employer identification
9 number; and the commodity classification listing at the appropriate
10 level to distinguish between similar acquisitions. Information
11 required by this subsection shall be reported and maintained on each
12 report through the next reporting period after an acquisition is
13 made. The applicable data in the fields of information specified in
14 this subsection shall be listed even if the state agency requisition
15 is disapproved.

16 SECTION 16. AMENDATORY 74 O.S. 2021, Section 85.45j.11,
17 is amended to read as follows:

18 Section 85.45j.11. A. There is hereby created the "Oklahoma
19 Supplier Diversity Initiative", which shall be a state-sponsored
20 supplier diversity program to provide a resource for state agencies
21 and private businesses to utilize diverse firms in procurement
22 opportunities to encourage growth in the economy of the state. The
23 program shall provide convenience for qualified and certified small
24

1 business enterprises and minority business enterprises in
2 contracting projects in underserved areas.

3 B. The program shall allow diverse business enterprises to
4 register with the ~~Office of Management and Enterprise Services~~
5 Department of Central Purchasing and allow registered vendors to be
6 automatically notified of opportunities to do business with the
7 state for specific commodities. The program shall provide for
8 simplified vendor registration processes.

9 C. The program shall authorize the Oklahoma Department of
10 Commerce to develop a diversity certification program to qualify and
11 certify diverse business enterprises for the state.

12 D. To qualify for the program, businesses shall have less than
13 five hundred total employees, an annual revenue equal to or less
14 than Twenty-five Million Dollars (\$25,000,000.00) and be certified
15 as one of the following:

16 1. An Oklahoma Department of Transportation Disadvantaged
17 Business Enterprise;

18 2. Any of the following entities certified by the United States
19 Small Business Administration:

20 a. Woman-Owned Small Business,
21 b. Minority-Business Enterprise,
22 c. Small Disadvantaged Business,
23 d. Service-disabled Veteran-Owned Small Business,
24 e. HUBZone Small Business Concern, and

- f. 8(a) Business Development Program;
- 3. A Native American-owned Business; or
- 4. A Veteran-owned Business.

E. The Central Purchasing Division of the Office of Management and ~~Enterprise Services~~ Department of Central Purchasing shall:

1. Amend the vendor registration process to require diversity certification check off and size standard information; and
2. Create a search tool for all state agencies and public or private entities to utilize to obtain contact information for diverse firms for the purpose of promoting procurement opportunities within the state.

F. On or before September 1 of each year, the State Purchasing Director shall submit a report to the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate on the status of the percentile of state funds expended on contracts awarded to a certified Oklahoma Department of Transportation Disadvantaged Business Enterprise and all of the entities certified by the United States Small Business Administration mentioned in subsection D of this section in the preceding fiscal year. The report may include related economic impacts when applicable. The report, statistics or other information concerning the participation in the program shall be retained by the ~~Office of Management and Enterprise Services~~ Department of Central Purchasing.

1 G. The Oklahoma Department of Commerce shall promulgate rules
2 to create and administer the Oklahoma Supplier Diversity Initiative.

3 SECTION 17. AMENDATORY 74 O.S. 2021, Section 85.45k, is
4 amended to read as follows:

5 Section 85.45k. A. There is hereby created the State Travel
6 Office within the ~~Purchasing Division of the Office of Management~~
7 and ~~Enterprise Services~~ Department of Central Purchasing.

8 B. All state agencies and departments of this state may make
9 arrangements for all air travel on scheduled commercial airlines for
10 state employees required to travel in the course of their official
11 duties and for all other persons traveling at state expense through
12 the State Travel Office, except when the state agency determines
13 that:

14 1. The air travel services can be secured at a cost less than
15 that which can be secured by the State Travel Office; or

16 2. The air travel originates from a location outside the state
17 and it would be impractical to arrange for the air travel through
18 the State Travel Office; or

19 3. The air travel is necessitated by an emergency and time does
20 not permit utilization of the State Travel Office's services; or

21 4. The air travel is part of a package arrangement made by the
22 organization scheduling the meeting or conference.

23 C. All claims made for reimbursement shall contain a statement
24 showing the reason for the exemption.

1 D. The State Travel Office shall promulgate rules and contract
2 specifications to which the contract travel agencies shall be
3 subject. The rules and specifications shall be drawn with the
4 intent of obtaining the lowest available fares for scheduled
5 commercial air travel.

6 E. At the end of each month the contract travel agencies shall
7 furnish a statement, if requested, in a form approved by the State
8 Travel Office, showing certain details of all travel arrangements
9 handled to each state agency for which the contract travel agencies
10 have furnished their services and shall also furnish copies of the
11 statements to the State Travel Office.

12 SECTION 18. AMENDATORY 74 O.S. 2021, Section 85.54, is
13 amended to read as follows:

14 Section 85.54. A. The Purchasing Division Department of
15 Central Purchasing shall review the procurement specifications
16 currently used by the Office of Management and Enterprise Services
17 Department of Central Purchasing in order to eliminate, wherever
18 economically feasible, discrimination against the procurement of
19 recycled paper and other products manufactured with recycled
20 materials.

21 B. The Division Department shall establish purchasing practices
22 which, to the maximum extent economically feasible, assure purchase
23 of recycled paper products.

1 C. The Director of the ~~Office of Management and Enterprise~~
2 ~~Services~~ Department of Central Purchasing shall review and
3 incorporate, where appropriate, guidelines published in the Federal
4 Register.

5 D. The Director shall promulgate rules to encourage recycling
6 and conservation of purchased products.

7 SECTION 19. AMENDATORY 74 O.S. 2021, Section 85.58Q, is
8 amended to read as follows:

9 Section 85.58Q. The ~~Purchasing Division of the Office of~~
10 ~~Management and Enterprise Services~~ Department of Central Purchasing
11 is directed to purchase from the lowest bidder a surety contract or
12 contracts in the form known as a "blanket bond" to cover all
13 elective state officers, appointive officers, and employees in the
14 manner provided in this section. No other bond shall be acceptable
15 as surety for any elected or appointed officer or employee of this
16 state in lieu of said blanket bond. For purposes of Sections 85.26
17 through 85.31 of this title, a "blanket bond" is defined as a public
18 employees' blanket position bond which covers all employees up to
19 the penalty of the bond for each employee and the full penalty of
20 the bond is always in force during its term and no restoration is
21 necessary and there is no additional premium after a loss is paid.

22 SECTION 20. AMENDATORY 74 O.S. 2021, Section 85.58T, is
23 amended to read as follows:

1 Section 85.58T. The amount of surety required for each state
2 officer or employee pursuant to Sections 85.26 through 85.31 of this
3 title is as follows:

4	DEPARTMENT	AMOUNT OF BOND
5	Office of the State Treasurer	\$300,000.00
6	Oklahoma Employment Security	
7	Commission	\$150,000.00
8	Central Services Division of the	
9	Office of Management and Enterprise	
10	Services	100,000.00
11	Insurance Commission	100,000.00
12	Office of the State Auditor and	
13	Inspector	50,000.00
14	Finance Division of the Office of	
15	Management and Enterprise Services	50,000.00
16	Bank Commissioner	50,000.00
17	Commissioners of the Land Office	50,000.00
18	Oklahoma Securities Commission	50,000.00
19	Oklahoma Tax Commission	50,000.00
20	Department of Human Services	50,000.00
21	Oklahoma Public Employees Retirement	
22	System	50,000.00
23	Corporation Commission	50,000.00
24	State Board of Education	50,000.00

1	Finance Division	150,000.00
2	All Others	25,000.00
3	Department of Transportation	25,000.00
4	Boards of Regents of Oklahoma	
5	Universities and Colleges	50,000.00
6	Office of Attorney General	10,000.00
7	The University Hospitals	50,000.00
8	All Other State Departments, Agencies,	
9	Institutions, Commissions,	
10	Authorities, and other bodies of	
11	state government	10,000.00

12 Provided, however, that nothing in The Oklahoma Central
13 Purchasing Act shall prohibit any head of a department, institution,
14 agency, commission, authority or other body of state government from
15 requiring the ~~Central Purchasing Division~~ Department of Central
16 Purchasing to purchase increased amounts of blanket bond coverage
17 for his or her employees up to a total maximum coverage of Fifty
18 Thousand Dollars (\$50,000.00) when the listed amount is deemed
19 inadequate. The cost of increased coverage shall be borne by the
20 department, institution, agency, commission, authority or other body
21 of state government requesting the increased coverage.

22 SECTION 21. AMENDATORY 74 O.S. 2021, Section 85.58V, is
23 amended to read as follows:

24

1 Section 85.58V. A. Whenever any officer, statutory board,
2 commission, committee, department, authority, or any state agent or
3 agency by whatever name called, is authorized by any law of this
4 state to purchase any official bond, surety bond, blanket bond, or
5 surety contract upon any state officer or employee, the authority is
6 hereby transferred and conferred upon the ~~Purchasing Division of the~~
7 ~~Office of Management and Enterprise Services~~ Department of Central
8 Purchasing. The authority shall be exercised by the ~~Purchasing~~
9 Division Department of Central Purchasing in the manner pursuant to
10 the provisions and requirements prescribed by Section 85.58A of this
11 title.

12 B. The premium for a bond will be invoiced to the ~~Purchasing~~
13 Division Department of Central Purchasing and paid for by
14 legislative appropriation set aside for that specific purpose.

15 C. If the legislative appropriation is insufficient to meet the
16 cost of a bond, the ~~State Purchasing~~ Director of the Department of
17 Central Purchasing in conjunction with the State Risk Administrator
18 shall assess each entity covered by the bond a pro rata share of the
19 excess cost amount.

20 D. A blanket bond shall be approved as to form and legal
21 sufficiency by the general counsel of the ~~Office of Management and~~
22 ~~Enterprise Services~~ Department of Central Purchasing and shall be
23 filed with the Director of the ~~Office of Management and Enterprise~~
24 ~~Services~~ Department of Central Purchasing.

1 SECTION 22. AMENDATORY 74 O.S. 2021, Section 3001, as
2 amended by Section 1, Chapter 252, O.S.L. 2022 (74 O.S. Supp. 2025,
3 Section 3001), is amended to read as follows:

4 Section 3001. A. There is hereby created in the ~~Office of~~
5 ~~Management and Enterprise Services~~ Department of Central Purchasing
6 an advisory council to be known as the "State Use Advisory Council".
7 The Council shall consist of seven (7) members:

8 1. A private citizen conversant with the employment needs of
9 people with significant disabilities who shall be appointed by and
10 serve at the pleasure of the Governor to act as an advocate for the
11 employment needs of people with significant disabilities;

12 2. The Director of the ~~Office of Management and Enterprise~~
13 ~~Services~~ Department of Central Purchasing or designee;

14 3. The Director of the Department of Rehabilitation Services,
15 or designee;

16 4. One member who shall be a state use provider who shall be
17 appointed by the President Pro Tempore of the Senate;

18 5. An individual or a parent or guardian of an individual with
19 significant disabilities who participates in vocational programming
20 through a qualified nonprofit agency for individuals with
21 disabilities, to be appointed by the Speaker of the House of
22 Representatives;

23 6. The Director of Human Services, or designee; and

24

1 7. A person employed by the ~~Office of Management and Enterprise~~
2 ~~Services Central Purchasing Division~~ Department of Central
3 Purchasing as a contracting officer, appointed by the ~~State~~
4 ~~Purchasing~~ Director of the Department of Central Purchasing.

5 B. The private citizens on the Council shall serve for a period
6 of two (2) years and may be reappointed by the appointing authority.
7 Any private citizen appointed pursuant to this section to fill a
8 vacancy occurring prior to the expiration of the term for which the
9 predecessor was appointed shall be appointed only for the remainder
10 of the term.

11 The State Use Advisory Council shall meet a minimum of twice a
12 year for the purpose of exchanging ideas to market and improve the
13 State Use Program.

14 SECTION 23. AMENDATORY Section 2, Chapter 252, O.S.L.
15 2022 (74 O.S. Supp. 2025, Section 3001.1), is amended to read as
16 follows:

17 Section 3001.1. The ~~State Purchasing~~ Director of the Department
18 of Central Purchasing, under the supervision of the ~~Director of the~~
19 ~~Office of Management and Enterprise Services~~ Department of Central
20 Purchasing, shall have authority and responsibility to administer
21 and oversee the State Use Program including but not limited to:

22 1. Promulgating rules relating to the program;
23 2. Qualification of organizations participating in the program;

1 3. Contracting with qualified organizations for products and
2 services to be included on the procurement schedule;

3 4. Determination of fair market price of all products and
4 services to be included on the procurement schedule; and

5 5. Designation and publication of a procurement schedule.

6 SECTION 24. AMENDATORY 74 O.S. 2021, Section 3003, as
7 amended by Section 3, Chapter 252, O.S.L. 2022 (74 O.S. Supp. 2025,
8 Section 3003), is amended to read as follows:

9 Section 3003. As used in Section 3001 et seq. of this title:

10 1. "Blind person" means a person having a visual acuity not to
11 exceed 20/200 in the better eye, with correcting lenses, or visual
12 acuity greater than 20/200 but with limitation in the field of
13 vision such that the widest diameter of visual field subtends an
14 angle no greater than twenty (20) degrees;

15 2. "Council" means the State Use Advisory Council;

16 3. "Qualified nonprofit agency for the employment of people
17 with significant disabilities" means a nonprofit agency employing
18 persons with significant disabilities who constitute at least
19 seventy-five percent (75%) of the direct labor hours engaged in
20 direct production, manufacturing, processing and/or assembling of
21 products or services offered by the agency for procurement by this
22 state or who meet the definition of blind person as provided for in
23 paragraph 1 of this section, or which is certified as a sheltered

1 workshop by the Wage and Hour Division of the United States
2 Department of Labor;

3 4. "Person with significant disabilities" means an individual
4 with a physical or mental disability constituting a substantial
5 handicap to employment and preventing the person from engaging in
6 normal competitive employment and/or includes any blind person;

7 5. "Qualified organization" means a blind person or qualified
8 nonprofit agency for the employment of people with significant
9 disabilities contracting to supply goods or services;

10 6. "Manufactured" means goods made by manual labor;

11 7. "Produced" means to have brought into existence or created
12 from raw materials;

13 8. "Processed" means the action of taking something through an
14 established and mostly routine set of procedures or steps to
15 substantially convert a potential product from one form to another.
16 This action involves a sequence of multiple steps each requiring a
17 distinct decision-making process to evolve a potential product to
18 the next step;

19 9. "Assemble" means to put or fit together or put together the
20 parts of a potential product;

21 10. "Central nonprofit agency (CNA)" means a qualified 501(c)3
22 nonprofit entity meeting the qualifications in the Request for
23 Procurement (RFP) issued by the ~~Office of Management and Enterprise~~

24

1 ~~Services~~ Department of Central Purchasing selected to administer and
2 oversee the State Use Program; and

3 11. "Procurement schedule" means a designated schedule of
4 products and services currently approved by the ~~Office of Management~~
5 and ~~Enterprise Services~~ Central Purchasing Division Department of
6 Central Purchasing as suitable to procure from qualified
7 organizations participating in the State Use Program.

8 SECTION 25. AMENDATORY 74 O.S. 2021, Section 3004, as
9 amended by Section 4, Chapter 252, O.S.L. 2022 (74 O.S. Supp. 2025,
10 Section 3004), is amended to read as follows:

11 Section 3004. The ~~Office of Management and Enterprise Services~~
12 ~~Central Purchasing Division~~ Department of Central Purchasing shall
13 designate and distribute by regulation a schedule, hereinafter
14 referred to as the procurement schedule, of the products directly
15 manufactured, produced, processed or assembled or services directly
16 performed, offered or provided by any person with significant
17 disabilities or qualified nonprofit agency for the employment of
18 people with significant disabilities, as defined in Section 3003 of
19 this title, which the ~~State Purchasing~~ Director of the Department of
20 Central Purchasing determines are suitable for procurement by the
21 state. The products and services on contract will be published on
22 the procurement schedule and will be designated as mandatory. The
23 ~~Office of Management and Enterprise Services~~ Central Purchasing
24 Division Department of Central Purchasing shall have the authority

1 to qualify organizations for inclusion in the State Use Program,
2 monitor qualified organizations for continued compliance to remain
3 active in the program, and remove organizations from the program.
4 The Department of Central Purchasing shall have the authority to
5 award and manage contracts to the qualified organizations as well as
6 to renegotiate or cancel contracts when appropriate.

7 SECTION 26. AMENDATORY 74 O.S. 2021, Section 3004.1, as
8 amended by Section 5, Chapter 252, O.S.L. 2022 (74 O.S. Supp. 2025,
9 Section 3004.1), is amended to read as follows:

10 Section 3004.1. The ~~State Purchasing~~ Director of the Department
11 of Central Purchasing may enter or award contracts for products or
12 services to a qualified organization as defined in Section 3003 of
13 this title and assess a contract management fee or levy. The
14 contract management fee or levy shall be deposited in the State Use
15 Advisory Council Revolving Fund, as created in Section 3004.2 of
16 this title, for the salary, administrative costs, annual trainings,
17 professional association memberships, qualified agency operational
18 improvement grants, periodic economic advantage study, Annual Report
19 development, and other expenses incurred by the ~~Central Purchasing~~
20 ~~Division of the Office of Management and Enterprise Services~~
21 Department of Central Purchasing for promoting goods and services
22 provided by qualified organizations.

23
24

1 SECTION 27. AMENDATORY 74 O.S. 2021, Section 3004.2, as
2 amended by Section 6, Chapter 252, O.S.L. 2022 (74 O.S. Supp. 2025,
3 Section 3004.2), is amended to read as follows:

4 Section 3004.2. There is hereby created in the State Treasury a
5 revolving fund for the ~~Office of Management and Enterprise Services~~
6 Department of Central Purchasing to be designated the "State Use
7 Advisory Council Revolving Fund". The fund shall be a continuing
8 fund, not subject to fiscal year limitations, and shall consist of
9 all proceeds from the management fee or levy on contracts for
10 purchases of products or services of people with significant
11 disabilities, as provided in Section 3004.1 of this title. The fund
12 shall be invested in any of the types of instruments in which the
13 State Treasurer is authorized by law to invest. Interest earned
14 shall be retained by the fund. All monies accruing to the credit of
15 the fund are hereby appropriated and may be budgeted and expended by
16 the ~~Office of Management and Enterprise Services~~ Department of
17 Central Purchasing for the salary and other administrative expenses
18 of the buyer and clerical and technical support in the ~~Central~~
19 ~~Purchasing Division of the Office of Management and Enterprise~~
20 ~~Services~~ Department of Central Purchasing responsible for contracts
21 for the products and services of people with significant
22 disabilities and expenses the ~~Office~~ Department incurs to support
23 State Use operations including services of the Centralized Non-
24 Profit Agency (CNA). Expenditures from the fund shall be made upon

1 warrants issued by the State Treasurer against claims filed as
2 prescribed by law with the Director of the ~~Office of Management and~~
3 ~~Enterprise Services~~ Department of Central Purchasing for approval
4 and payment.

5 SECTION 28. AMENDATORY 74 O.S. 2021, Section 3005, as
6 amended by Section 7, Chapter 252, O.S.L. 2022 (74 O.S. Supp. 2025,
7 Section 3005), is amended to read as follows:

8 Section 3005. The ~~Office of Management and Enterprise Services~~
9 ~~Central Purchasing Division~~ Department of Central Purchasing shall
10 determine the fair market price of all products and services
11 included in the procurement schedule and shall revise such prices in
12 accordance with changing market conditions; provided, however, a
13 change in price shall not be effective prior to the expiration of
14 thirty (30) days from the date on which such change is approved.
15 Approved fair market prices shall be reflected on State Use
16 contracts and procurement schedules within thirty (30) days of
17 approval and distribution.

18 SECTION 29. AMENDATORY 74 O.S. 2021, Section 3006, as
19 amended by Section 8, Chapter 252, O.S.L. 2022 (74 O.S. Supp. 2025,
20 Section 3006), is amended to read as follows:

21 Section 3006. The ~~State Purchasing~~ Director of the Department
22 of Central Purchasing may contract with a central nonprofit agency
23 to facilitate:

24 1. Management of the day-to-day operations of the program;

1 2. The facilitation, promotion, and the distribution of orders
2 of the state for products or services on the procurement schedule
3 among qualified nonprofit agencies for people with significant
4 disabilities;

5 3. Scheduling and conducting annual training sessions;

6 4. Publishing the approved State Use Procurement Schedule;

7 5. Promotion of the State Use Program through development and
8 distribution of program marketing material, promotion of program
9 through continued contact with current and future customers; and

10 6. All other duties assigned by the RFP through the ~~Office of~~
11 ~~Management and Enterprise Services~~ Department of Central Purchasing.

12 SECTION 30. AMENDATORY 74 O.S. 2021, Section 3007, as
13 amended by Section 9, Chapter 252, O.S.L. 2022 (74 O.S. Supp. 2025,
14 Section 3007), is amended to read as follows:

15 Section 3007. A. Whenever this state or any of its agencies
16 intends to procure any product or service included in the
17 procurement schedule, that entity shall secure the product or
18 service from a qualified nonprofit agency providing employment to
19 people with significant disabilities at the fair market price
20 determined by the ~~Office of Management and Enterprise Services~~
21 ~~Central Purchasing Division~~ Department of Central Purchasing, if the
22 product or service is available within the period required by the
23 entity and meets the specifications of the entity.

1 B. An agency of this state shall not evade the intent and
2 meaning of this section by slight variations from standards adopted
3 by the ~~Office of Management and Enterprise Services Central~~
4 ~~Purchasing Division Department of Central Purchasing~~.

5 C. Provided, the requirements of this section shall not apply
6 to the procurement of janitorial services by the Oklahoma State
7 Bureau of Investigation. The Bureau shall conduct background
8 investigations and national criminal history record checks on
9 companies and individuals with which it contracts to provide
10 janitorial services.

11 D. Any municipality or county agency of this state is
12 authorized to purchase products and services from any qualified
13 organization as defined in Section 3003 of this title. The
14 qualified organization shall be able to meet the needs and
15 specifications for the products or services required by the
16 purchasing body at the fair market price. Procurements made
17 pursuant to the provisions of this section shall not be subject to
18 competitive bid requirements.

19 SECTION 31. AMENDATORY 74 O.S. 2021, Section 3008, as
20 amended by Section 10, Chapter 252, O.S.L. 2022 (74 O.S. Supp. 2025,
21 Section 3008), is amended to read as follows:

22 Section 3008. A. Nothing in Section 3001 et seq. of this title
23 pursuant to purchases of products and services from people with
24 significant disabilities shall be construed to prohibit any

1 department or agency of the state from manufacturing or supplying
2 its own products or services for its own use. Procurements made
3 pursuant to Section 3001 et seq. of this title shall not be subject
4 to the competitive bid requirements of the Oklahoma Central
5 Purchasing Act, Section 85.1 et seq. of this title.

6 B. The ~~Office of Management and Enterprise Services Central~~
7 ~~Purchasing Division~~ Department of Central Purchasing shall require
8 an annual qualified organization pricing review for all products and
9 services approved and designated on the procurement schedule. The
10 method of the pricing review shall be defined in the promulgated
11 rules.

12 C. When the fair market price for a product or service approved
13 by the ~~Office of Management and Enterprise Services Central~~
14 ~~Purchasing Division~~ Department of Central Purchasing exceeds a
15 current market price for the same product or service and such lower
16 market price has been verified by the agency through compliance with
17 the fair market analysis process approved by the ~~Office of~~
18 ~~Management and Enterprise Services Central Purchasing Division~~
19 Department of Central Purchasing, the State Use contracting officer
20 may grant a temporary exception to a requesting agency so that the
21 agency may purchase the product or service from the supplier
22 offering the lower market price.

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1 SECTION 32. AMENDATORY 74 O.S. 2021, Section 3009, as
2 amended by Section 11, Chapter 252, O.S.L. 2022 (74 O.S. Supp. 2025,
3 Section 3009), is amended to read as follows:

4 Section 3009. A. ~~The Office of Management and Enterprise~~
5 ~~Services Central Purchasing Division~~ Department of Central
6 Purchasing shall prescribe rules to carry out the purposes of the
7 provisions of Sections 3001 through 3009 of this title.

8 B. The rules shall include requirements for:

9 1. Publishing a catalog listing goods and services and jobs
10 that qualified agencies employing people with significant
11 disabilities can provide the state, annually; and

12 2. Conducting a minimum of two meetings per year of the State
13 Use Council, in compliance with the Oklahoma Open Meeting Act,
14 Section 301 et seq. of Title 25 of the Oklahoma Statutes.

15 C. On an annual basis, ~~the Office of Management and Enterprise~~
16 ~~Services~~ Department of Central Purchasing shall, within sixty (60)
17 days after the close of the fiscal year, transmit a strategic plan
18 for the State Use Program to the President Pro Tempore of the
19 Senate, the Speaker of the House of Representatives and the
20 Governor.

21 SECTION 33. AMENDATORY 74 O.S. 2021, Section 4191, is
22 amended to read as follows:

23 Section 4191. A. The Director of the ~~Office of Management and~~
24 ~~Enterprise Services~~ Department of Central Purchasing shall establish

1 and administer child care centers with funds available for that
2 purpose.

3 B. The Director of the ~~Office of Management and Enterprise~~
4 ~~Services~~ Department of Central Purchasing may approve a consortium,
5 partnership, cooperative or agreement to provide child care centers
6 with other public or private employers.

7 C. The child care centers shall be operated through a contract
8 with child care providers. Specifications for a contract shall be
9 developed with the assistance of, and subject to the approval of,
10 the Director of the ~~Office of Management and Enterprise Services~~
11 Department of Central Purchasing. Any such contract shall be made
12 through the ~~Central Purchasing Division of the Office of Management~~
13 ~~and Enterprise Services~~ Department of Central Purchasing. The low
14 bid will not be the single qualifier. Any child care provider shall
15 be required to carry sufficient liability insurance coverage which
16 will pay damages incurred as a result of the negligent acts or
17 omissions of an employee of the child care provider within the scope
18 of the employment of such person. Any child care provider shall
19 meet or exceed applicable state child care facilities licensure
20 standards.

21 D. Nothing in this section shall prevent the Director from
22 utilizing paragraph 13 of Section 85.5 of this title and paragraph 3
23 of subsection A of Section 85.7 of this title to continue the
24 operation of a child care center with emergency contracts when the

1 service provider's contract is canceled or terminated before another
2 qualified service provider is procured. The employees of the ~~Office~~
3 ~~of Management and Enterprise Services~~ Department of Central
4 Purchasing shall not be employed to operate the centers.

5 E. Any parent utilizing the services of a child care center
6 shall be responsible for the charges assessed by the child care
7 provider for child care services.

8 SECTION 34. AMENDATORY 80 O.S. 2021, Section 34.2, is
9 amended to read as follows:

10 Section 34.2. A. The Director of ~~the Office of Management and~~
11 ~~Enterprise Services~~ Department of Central Purchasing shall appoint
12 and fix the duties and compensation of a Surplus Property Agent.
13 The ~~Purchasing Division of the Office of Management and Enterprise~~
14 Services Department of Central Purchasing shall purchase for the
15 Surplus Property Agent a bond payable to the State of Oklahoma in
16 the sum of Fifty Thousand Dollars (\$50,000.00), conditioned for the
17 faithful performance of the duties of the Surplus Property Agent.

18 B. Pursuant to the provisions of Sections 34.1 through 34.6 of
19 this title, the Director of the ~~Office of Management and Enterprise~~
20 ~~Services~~ Department of Central Purchasing shall promulgate rules for
21 acquisition of surplus property by the Surplus Property Agent, state
22 departments, institutions and agencies, and other authorized
23 entities. The rules shall provide for the determination of a
24 reasonable fee to assess the state departments, institutions and

1 agencies, and other authorized entities for surplus property. The
2 fee determination shall include costs the Surplus Property Agent
3 incurs to acquire, warehouse, distribute, and other administrative
4 costs and expenses.

5 SECTION 35. This act shall become effective November 1, 2026.

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