

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1962

By: Bullard

AS INTRODUCED

An Act relating to the Oklahoma Central Purchasing Act; amending 74 O.S. 2021, Sections 85.3A, as amended by Section 53, Chapter 228, O.S.L. 2022, 85.5, as amended by Section 1, Chapter 102, O.S.L. 2024, and 85.12, as amended by Section 2, Chapter 339, O.S.L. 2023 (74 O.S. Supp. 2025, Sections 85.3A, 85.5, and 85.12), which relate to exempted entities and acquisitions from the Oklahoma Central Purchasing Act and the powers and duties of the State Purchasing Director; requiring entities to submit evidence to the State Purchasing Director to continue receiving exemptions from the Oklahoma Central Purchasing Act; authorizing the State Purchasing Director to examine and approve exemptions for entities; requiring approval of the Legislature; updating statutory language; updating statutory references; providing an effective date; and declaring an emergency.

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

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

Section 85.3A. A. ~~Compliance~~ On and after the effective date of this act, compliance with the provisions of the Oklahoma Central Purchasing Act shall not be required of+

1 ~~1. County government;~~

2 ~~2. The Oklahoma State Regents for Higher Education, the~~
3 ~~institutions, centers or other constituent agencies of The Oklahoma~~
4 ~~State System of Higher Education;~~

5 ~~3. The telecommunications network known as OneNet;~~

6 ~~4. The Department of Public Safety gun range;~~

7 ~~5. The State Treasurer for the following purchases:~~

8 ~~a. services including, but not limited to, legal services~~
9 ~~to assist in the administration of the Uniform~~
10 ~~Unclaimed Property Act, as provided in Section 668 of~~
11 ~~Title 60 of the Oklahoma Statutes, and~~

12 ~~b. software, hardware and associated services to assist~~
13 ~~in the administration of funds and securities held by~~
14 ~~the state, as provided in Section 71.2 of Title 62 of~~
15 ~~the Oklahoma Statutes;~~

16 ~~6. Statutorily allowed interagency agreements between state~~
17 ~~agencies;~~

18 ~~7. The Oklahoma Department of Veterans Affairs, in accordance~~
19 ~~with Section 63.22 of Title 72 of the Oklahoma Statutes;~~

20 ~~8. The Oklahoma Military Department for the purchases of~~
21 ~~heraldry items including, but limited to, medals, badges and other~~
22 ~~military accoutrements;~~

23 ~~9. A transaction, wholly funded by monies other than state-~~
24 ~~derived funds, in which a state agency functions only as a pass-~~

1 ~~through conduit to fund an acquisition that is required by the~~
2 ~~funding source for the benefit of another entity or individuals and~~
3 ~~the state agency does not retain ownership of any part of the~~
4 ~~acquisition as a result of the transaction; or~~

5 ~~10. The Secretary of State when selecting a vendor for~~
6 ~~publication of the Oklahoma Statutes in accordance with Section 13~~
7 ~~of Title 75 of the Oklahoma Statutes. entities approved by the State~~
8 ~~Purchasing Director each fiscal year as authorized in subsection Q~~
9 ~~of Section 85.5 of this title.~~

10 B. The Legislature shall adopt a joint resolution approving or
11 disapproving all or any part of a rule associated with the entities
12 exempted pursuant to subsection A of this section.

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

3 ~~C.~~ D. At the invitation of the State Purchasing Director,
4 entities exempted from the provisions of the Oklahoma Central
5 Purchasing Act shall participate in the advisory committee
6 referenced in subsection ~~B~~ C of this section.

7 ~~D.~~ E. The State Purchasing Director may invite representatives
8 of political subdivisions, and local common education entities to
9 participate as members of the advisory committee.

10 SECTION 2. AMENDATORY 74 O.S. 2021, Section 85.5, as
11 amended by Section 1, Chapter 102, O.S.L. 2024 (74 O.S. Supp. 2025,
12 Section 85.5), is amended to read as follows:

13 Section 85.5. A. Except as otherwise provided in this section,
14 the State Purchasing Director, under the supervision of the Director
15 of the Office of Management and Enterprise Services, shall have sole
16 and exclusive authority and responsibility for all acquisitions by
17 state agencies. In order to carry out the powers and duties of the
18 Chief Information Officer and the Information Services Division, the
19 Chief Information Officer shall have sole and exclusive authority
20 and responsibility for all acquisitions of information and
21 telecommunications technology, equipment, software, products and
22 related peripherals and services by state agencies. Public
23 construction contracts are awarded pursuant to Title 61 of the
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1 Oklahoma Statutes and are not subject to the Oklahoma Central
2 Purchasing Act.

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

11 C. The Director of the Office of Management and Enterprise
12 Services shall have authority and responsibility to promulgate rules
13 in connection with provisions of the Oklahoma Central Purchasing Act
14 for:

15 1. The time, manner, authentication, and form of making
16 requisitions for acquisitions;

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

19 3. The form and manner of submission for bids or proposals a
20 bidder submits and the manner of accepting and opening bids or
21 proposals;

22 4. The conditions under which the Office of Management and
23 Enterprise Services shall require written contracts for
24 acquisitions, the conditions under which acquisitions may be made on

1 an open account basis, and the conditions and manner of negotiating
2 such contracts;

3 5. Obtaining acquisitions produced by state institutions;

4 6. Conditions under which any of the rules herein authorized
5 may be waived;

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

10 8. The manner and conditions of delivery, which shall include
11 the designation of the common carrier of property to be used to
12 transport acquisitions whenever a common carrier is used, and the
13 acceptance, or rejection, including check of quantities, of any
14 acquisitions;

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

17 10. State agency acquisitions not exceeding the acquisition
18 threshold amount requiring competitive bid to ensure
19 competitiveness, fairness, compliance with the Oklahoma Central
20 Purchasing Act and Section 3001 et seq. of this title, which relates
21 to the State Use ~~Committee~~ Advisory Council. The rules shall
22 include separate provisions based on acquisition amounts as follows:

23 a. state agencies shall make acquisitions not exceeding
24 Twenty-five Thousand Dollars (\$25,000.00), provided
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1 the acquisition process is fair and reasonable and is
2 conducted pursuant to rules authorized pursuant to
3 this section, and

4 b. state agencies with certified procurement officers and
5 internal purchasing procedures found compliant by the
6 State Purchasing Director may make acquisitions in
7 excess of the fair and reasonable acquisition
8 threshold amount provided for in this section and not
9 exceeding Two Hundred Fifty Thousand Dollars
10 (\$250,000.00), pursuant to rules authorized by this
11 section;

12 11. Training by the State Purchasing Director of state agency
13 procurement officers;

14 12. Review and audit by the State Purchasing Director of state
15 agency acquisitions;

16 13. The conditions for increasing acquisition limits for state
17 agencies which have had a prior reduction in acquisition limit by
18 the Director of the Office of Management and Enterprise Services;

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

20 15. Any other matter or practice which relates to the
21 responsibilities of the State Purchasing Director;

22 16. Conditions for determination and authorization of
23 acquisition threshold amounts of state agencies;

1 17. The form and manner of verification by suppliers that the
2 supplier is eligible to do business in ~~the State of Oklahoma~~ this
3 state and has obtained all necessary permits and licenses, pursuant
4 to applicable provisions of law; and

5 18. Payment procedure rules for state agencies to adhere to
6 regarding statewide contracts.

7 D. The State Purchasing Director shall provide training for
8 state agency procurement officials, and other procurement staff, and
9 is authorized to require retraining of such procurement personnel
10 found not to be in compliance with provisions of the Oklahoma
11 Central Purchasing Act or associated rules. The training may
12 include any matters related to state procurement practices. State
13 agency purchasing officials that demonstrate proficiency shall be
14 certified as "certified procurement officers" by the State
15 Purchasing Director and shall be authorized to make acquisitions
16 pursuant to provisions of the Oklahoma Central Purchasing Act and
17 associated rules. The State Purchasing Director may assess a fee to
18 state agencies for the training that does not exceed each state
19 agency's pro rata share of the costs the State Purchasing Director
20 incurs to provide the training.

21 E. The State Purchasing Director shall review state agency
22 acquisitions for the purposes of:

23 1. Ensuring state agency compliance with provisions of the
24 Oklahoma Central Purchasing Act;

1 2. Ensuring state agency compliance with rules promulgated by
2 the Office of Management and Enterprise Services pursuant to the
3 Oklahoma Central Purchasing Act;

4 3. Ensuring state agency compliance with provisions of Section
5 3001 et seq. of this title pertaining to the State Use ~~Committee~~
6 Advisory Council;

7 4. Reporting any acquisition by any state agency found not to
8 be in compliance with those sections or rules to the Director of the
9 Office of Management and Enterprise Services;

10 5. A determination by the State Purchasing Director to reduce a
11 state agency's acquisition authority amount when the state agency is
12 found not to be in compliance with the Oklahoma Central Purchasing
13 Act or associated rules or requirements of the State Purchasing
14 Director pursuant to this section; and

15 6. A determination by the State Purchasing Director to increase
16 a state agency's acquisition authority amount after the agency cures
17 deficiencies in connection with a prior reduction in the authority
18 amount by the State Purchasing Director.

19 F. Based on written findings and when recommended by the State
20 Purchasing Director, the Director of the Office of Management and
21 Enterprise Services may:

22 1. Transmit written findings by the State Purchasing Director
23 to the State Auditor and Inspector for further investigation,
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1 indicating purchasing procedures that do not conform to the Oklahoma
2 Central Purchasing Act or associated rules; or

3 2. Transmit to the Attorney General or the State Auditor and
4 Inspector for further investigation a report made by the State
5 Purchasing Director that the Director of the Office of Management
6 and Enterprise Services reasonably believes indicates that an action
7 that constitutes a criminal violation pursuant to the Oklahoma
8 Central Purchasing Act or other laws has been taken by any state
9 agency, state agency official, bidder or supplier.

10 G. 1. Pursuant to the requirements of the Oklahoma Central
11 Purchasing Act, the State Purchasing Director shall have authority
12 to enter into any statewide, multistate or multigovernmental
13 contract. The state entity designated by law, as specified in
14 Section ~~1010.3~~ 4002.3b of Title 56 of the Oklahoma Statutes, shall
15 participate in the purchase of pharmaceuticals available through
16 such multistate or multigovernmental contracts entered into by the
17 State Purchasing Director.

18 2. Whenever it appears advantageous to the state or to any
19 state agency to purchase or otherwise acquire any acquisition which
20 may be offered for sale by the United States government or any
21 agency thereof, the State Purchasing Director may execute a contract
22 for the acquisition with the federal government or federal agency
23 and may also utilize contracts awarded by other governmental
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1 agencies including, but not limited to, agencies of the United
2 States of America.

3 3. The State Purchasing Director may designate, for use by
4 state agencies, contracts described in this subsection and contracts
5 awarded on behalf of one or more state agencies.

6 4. Prior to exercising the authority to cancel a contract, the
7 State Purchasing Director may authorize renegotiation of an existing
8 contract with an incumbent supplier for the purposes of obtaining
9 more favorable terms for the state.

10 5. The State Purchasing Director shall have the authority to
11 designate certain contracts for state agencies as statewide
12 contracts and mandatory statewide contracts. In order to carry out
13 the powers and duties of the Chief Information Officer and
14 Information Services Division, the Chief Information Officer shall
15 have the authority to designate certain information technology and
16 telecommunication contracts as statewide contracts and mandatory
17 statewide contracts and may negotiate consolidation contracts,
18 enterprise agreements and high technology system contracts in lieu
19 of or in conjunction with competitive bidding procedures to reduce
20 acquisition cost.

21 6. The State Purchasing Director may publish such
22 specifications relating to materials, supplies, equipment and
23 services to be acquired for the state as may best promote
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1 competition and apprise potential suppliers of the type of product
2 desired.

3 H. 1. The State Purchasing Director may develop and test new
4 contracting policies, procedures and innovations that hold potential
5 for making state procurement more effective and efficient and
6 identify, and make recommendations to the Legislature of, any
7 appropriate changes in law. Such development and testing, proof of
8 concept, pilot project or other similar test shall not be considered
9 an acquisition subject to the Oklahoma Central Purchasing Act.

10 2. The State Purchasing Director is authorized to explore and
11 investigate cost savings in energy, resource usage and maintenance
12 contracts and to identify and negotiate contract solutions
13 including, but not limited to, pilot projects to achieve cost
14 savings for this state.

15 I. The State Purchasing Director shall endeavor to satisfy
16 state agencies in terms of cost, quality and timeliness of the
17 delivery of acquisitions by using bidders who have a record of
18 successful past performance, promoting competition, minimizing
19 administrative operating costs and conducting business with
20 integrity, fairness and openness.

21 J. The State Purchasing Director shall undertake the following:

22 1. The use of electronic commerce pursuant to the Oklahoma
23 Online Bidding Act for solicitation, notification and other
24 purchasing processes;

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

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

6 4. Development of criteria for the use of sealed bid
7 contracting procedures, negotiated contracting procedures, selection
8 of types of contracts, ~~postaward~~ post-award administration of
9 purchase orders and contracts, addendums, termination of contracts
10 and contract pricing;

11 5. Continual improvement in the quality of the performance of
12 the Purchasing Division through training programs, management
13 seminars, development of benchmarks and key management indicators,
14 and development of standard provisions, clauses and forms;

15 6. The State Purchasing Director shall prescribe standardized
16 contract forms and all other forms or certifications requisite or
17 deemed necessary by the State Purchasing Director to effectuate the
18 provisions of the Oklahoma Central Purchasing Act and associated
19 rules;

20 7. Development of programs to improve customer relations
21 through training, improved communications and appointment of
22 technical representatives;
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1 8. Provide for public two-way communication between procurement
2 officers and potential bidders who have questions regarding a
3 request for proposal or invitation to bid; and

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

7 K. The State Purchasing Director may utilize and authorize
8 state agencies to utilize reverse auctions to obtain acquisitions.

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

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

1 N. The acquisition threshold amount applicable to an
2 acquisition made pursuant to ~~this act~~ the Oklahoma Central
3 Purchasing Act or associated rules shall not apply to state agency
4 purchases~~,~~ provided~~,~~ the State Purchasing Director determines the
5 agency has subject matter experts on staff having the specialized
6 expertise to purchase goods or services~~,~~ and the agency possesses
7 the necessary legal and procurement staff to procure and monitor the
8 contracts ~~and~~; provided further, the Director of the Office of
9 Management and Enterprise Services shall certify 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, and 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, and
22 c. report contracts issued pursuant to this subsection to
23 the Purchasing Division of the Office of Management
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1 and Enterprise Services, ~~Central Purchasing Division,~~
2 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 O. The State Purchasing Director, with approval by the Director
6 of the Office of Management and Enterprise Services, is authorized
7 to make use of any state laboratories for the tests and analyses
8 authorized in this section wherever practicable and to use private
9 laboratories or the laboratories of another government agency if it
10 is impracticable to use state laboratories. The State Purchasing
11 Director is further authorized to cooperate in test and analysis
12 programs or agreements with other states or the United States
13 government and to accept federal funds and funds donated by private
14 endowments or foundations for the purpose of participation in such
15 testing programs.

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

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

3 2. The public employer or the Office of Management and
4 Enterprise Services may terminate the contract with the contractor
5 or subcontractor.

6 Q. On and after the effective date of this act, the State
7 Purchasing Director, under the supervision of the Director of the
8 Office of Management and Enterprise Services, shall require all
9 entities receiving exemptions from the Oklahoma Central Purchasing
10 Act as provided in Sections 85.3A and 85.12 of this title to submit
11 evidence to the State Purchasing Director each fiscal year that an
12 exception reduced costs and increased efficiency for the effected
13 entity. Upon approval by the State Purchasing Director and the
14 Legislature, as provided in Sections 85.3A and 85.12 of this title,
15 entities may receive exemptions from the Oklahoma Central Purchasing
16 Act.

17 SECTION 3. AMENDATORY 74 O.S. 2021, Section 85.12, as
18 amended by Section 2, Chapter 339, O.S.L. 2023 (74 O.S. Supp. 2025,
19 Section 85.12), is amended to read as follows:

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

1 B. ~~Except as otherwise provided by this section, the~~ On and
2 after the effective date of this act, entities approved by the State
3 Purchasing Director each fiscal year as authorized in subsection Q
4 of Section 85.5 of this title may make acquisitions ~~specified in~~
5 ~~this subsection shall be made~~ in compliance with Section 85.39 of
6 this title and purchasing card program requirements but ~~are not~~ be
7 subject to other provisions of the Oklahoma Central Purchasing Act.†

8 1. ~~Food and other products produced by state institutions and~~
9 ~~agencies;~~

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

22 3. ~~Department of Transportation and Transportation Commission~~
23 ~~contractual services or right-of-way acquisitions, contracts awarded~~
24 ~~pursuant to bids let by the Transportation Commission for the~~

~~maintenance or construction of streets, roads, highways, bridges, underpasses or any other transportation facilities under the control of the Department of Transportation, equipment or material acquisitions accruing to the Department of Transportation required in federal aid contracts and acquisitions for public service-type announcements initiated by the Department of Transportation, but not acquisitions for advertising, public relations or employment services;~~

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

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

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

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

~~8. Acquisitions by the Oklahoma Municipal Power Authority;~~

1 ~~9. Acquisitions by the Grand River Dam Authority;~~

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

5 ~~11. Acquisitions by the Oklahoma Ordnance Works Authority, the~~
6 ~~Northeast Oklahoma Public Facilities Authority or the Midwestern~~
7 ~~Oklahoma Development Authority;~~

8 ~~12. Expenditure of monies appropriated to the State Board of~~
9 ~~Education for local and state-supported financial support of public~~
10 ~~schools, except monies allocated therefrom for the Administrative~~
11 ~~and Support Functions of the State Department of Education;~~

12 ~~13. Expenditure of monies appropriated to the State Department~~
13 ~~of Rehabilitation Services for educational programs or educational~~
14 ~~materials for the Oklahoma School for the Blind and the Oklahoma~~
15 ~~School for the Deaf;~~

16 ~~14. Contracts entered into by the Oklahoma Department of Career~~
17 ~~and Technology Education for the development, revision or updating~~
18 ~~of vocational curriculum materials, and contracts entered into by~~
19 ~~the Oklahoma Department of Career and Technology Education for~~
20 ~~training and supportive services that address the needs of new or~~
21 ~~expanding industries;~~

22 ~~15. Contracts entered into by the Oklahoma Center for the~~
23 ~~Advancement of Science and Technology for professional services;~~
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1 ~~16. Contracts entered into by the Oklahoma Department of~~
2 ~~Commerce pursuant to the provisions of Section 5066.4 of this title;~~

3 ~~17. Acquisitions made by the Oklahoma Historical Society from~~
4 ~~monies used to administer the White Hair Memorial;~~

5 ~~18. Purchases of pharmaceuticals available through a multistate~~
6 ~~or multigovernmental contract if such pharmaceuticals are or have~~
7 ~~been on state contract within the last fiscal year, and the terms of~~
8 ~~such contract are more favorable to the state or agency than the~~
9 ~~terms of a state contract for the same products, as determined by~~
10 ~~the State Purchasing Director. The state entity designated by law,~~
11 ~~as specified in Section 1010.3 of Title 56 of the Oklahoma Statutes,~~
12 ~~shall participate in the purchase of pharmaceuticals available~~
13 ~~through such contracts;~~

14 ~~19. Contracts for managed health care services entered into by~~
15 ~~the state entity designated by law or the Department of Human~~
16 ~~Services, as specified in paragraph 1 of subsection A of Section~~
17 ~~1010.3 of Title 56 of the Oklahoma Statutes;~~

18 ~~20. Acquisitions by a state agency through a General Services~~
19 ~~Administration contract or other federal contract if the~~
20 ~~acquisitions are not on current statewide contract or the terms of~~
21 ~~the federal contract are more favorable to the agency than the terms~~
22 ~~of a statewide contract for the same products;~~

1 ~~21. Acquisitions of clothing for clients of the Department of~~
2 ~~Human Services and acquisitions of food for group homes operated by~~
3 ~~the Department of Human Services;~~

4 ~~22. Acquisitions by the Oklahoma Energy Resources Board;~~

5 ~~23. Acquisitions of clothing for juveniles in the custody of~~
6 ~~the Office of Juvenile Affairs and acquisitions of food for group~~
7 ~~homes operated by the Office of Juvenile Affairs;~~

8 ~~24. State contracts for flexible benefits plans pursuant to the~~
9 ~~Oklahoma State Employees Benefits Act, Section 1361 et seq. of this~~
10 ~~title;~~

11 ~~25. Acquisitions by the Oklahoma Department of Securities to~~
12 ~~investigate, initiate, or pursue administrative, civil or criminal~~
13 ~~proceedings involving potential violations of the acts under the~~
14 ~~Department's jurisdiction and acquisitions by the Oklahoma~~
15 ~~Department of Securities for its investor education program;~~

16 ~~26. Acquisitions for resale in and through canteens operated~~
17 ~~pursuant to Section 537 of Title 57 of the Oklahoma Statutes and~~
18 ~~canteens established at an institution or facility operated by the~~
19 ~~Office of Juvenile Affairs;~~

20 ~~27. Acquisitions by the Oklahoma Boll Weevil Eradication~~
21 ~~Organization for employment and personnel services, and for~~
22 ~~acquiring sprayers, blowers, traps and attractants related to the~~
23 ~~eradication of boll weevils in this state or as part of a national~~
24 ~~or regional boll weevil eradication program;~~

1 ~~28. Contracts entered into by the Oklahoma Indigent Defense~~
2 ~~System for expert services pursuant to the provisions of subsection~~
3 ~~D of Section 1355.4 of Title 22 of the Oklahoma Statutes;~~

4 ~~29. Acquisitions by the Oklahoma Correctional Industries and~~
5 ~~the Agri-Services programs of the Department of Corrections of raw~~
6 ~~materials, component parts and other products, any equipment~~
7 ~~excluding vehicles, and any services excluding computer consultant~~
8 ~~services used to produce goods or services for resale and for the~~
9 ~~production of agricultural products;~~

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

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

1 ~~32. Contracts for annuities for structured settlements provided~~
2 ~~for in Section 158 of Title 51 of the Oklahoma Statutes;~~

3 ~~33. Subject to subsection E of this section, purchases made~~
4 ~~from funds received by local offices administered by the Department~~
5 ~~of Human Services or administered by the Office of Juvenile Affairs~~
6 ~~for fund-raising activities and donations for the benefit of clients~~
7 ~~and potential clients at the local offices where such purchases may~~
8 ~~not otherwise be paid for from appropriated funds;~~

9 ~~34. Acquisitions by the Oklahoma Historical Society for~~
10 ~~restoration of historical sites and museums although the agency may~~
11 ~~elect to utilize the Purchasing Division for an acquisition with~~
12 ~~supplier and bid selection being the prerogative of the agency,~~
13 ~~based on the supplier's documented qualifications and experience;~~
14 ~~and~~

15 ~~35. Acquisitions of clothing and food for patients in the care~~
16 ~~of the J.D. McCarty Center for Children with Developmental~~
17 ~~Disabilities.~~

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

1 ~~services of the Purchasing Division and the State Purchasing~~
2 ~~Director. Any political subdivision or rural fire protection~~
3 ~~district may designate the State Purchasing Director as its agent~~
4 ~~for any acquisition from a statewide contract or otherwise available~~
5 ~~to the state.~~

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

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

19 ~~F. With respect to the Oklahoma Tourism and Recreation~~
20 ~~Department, no exemption provided in this section shall be construed~~
21 ~~for the use of leasing or contracting for state-owned restaurants in~~
22 ~~Oklahoma state parks. The Department shall not be required to~~
23 ~~purchase furniture, fixtures, equipment, and soft goods associated~~
24

1 ~~with decor of the state parks, lodges, golf courses, and tourism~~
2 ~~information centers from Oklahoma prisons or reformatories.~~

3 ~~Additionally, the Department shall not be required to make~~
4 ~~purchases pursuant to a statewide contract for materials, supplies,~~
5 ~~and services necessary for the efficient and economical operation of~~
6 ~~revenue-generating, Department-operated facilities, including those~~
7 ~~made to maintain or improve guest perception of quality and service;~~
8 ~~provided, that the State Purchasing Director shall review and audit~~
9 ~~all uses of the exemptions provided in this subsection biannually~~
10 The Legislature shall adopt a joint resolution approving or
11 disapproving all or any part of a rule associated with the entities
12 exempted pursuant to subsection B of this section.

13 SECTION 4. This act shall become effective July 1, 2026.

14 SECTION 5. It being immediately necessary for the preservation
15 of the public peace, health or safety, an emergency is hereby
16 declared to exist, by reason whereof this act shall take effect and
17 be in full force from and after its passage and approval.

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