

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 2330

By: Burns of the House

and

Simpson of the Senate

7 An Act relating to state purchasing procedures;
8 amending 74 O.S. 2011, Section 85.3A, as last amended
9 by Section 9, Chapter 269, O.S.L. 2016 (74 O.S. Supp.
10 2018, Section 85.3A), which relates to The Oklahoma
11 Central Purchasing Act; modifying exempt agencies;
12 providing for certain preference to honorably
13 discharged veterans or certain business entity based
14 upon ownership interest; defining term; providing for
15 codification; providing an effective date; and
16 declaring an emergency.

15 AMENDMENT NO. 1. Page 1, strike the title to read

16 "[state purchasing procedures - The Oklahoma Central
17 Purchasing Act - exempt agencies - preference to
18 honorably discharged veterans or certain business
entity - codification - ~~effective date~~ -
~~emergency~~]"

1 Passed the Senate the 25th day of April, 2019.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2019.

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8 _____
9 Presiding Officer of the House
10 of Representatives

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12 providing for certain preference to honorably
13 discharged veterans or certain business entity based
14 upon ownership interest; defining term; providing for
15 codification; providing an effective date; and
16 declaring an emergency.

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

18 SECTION 1. AMENDATORY 74 O.S. 2011, Section 85.3A, as
19 last amended by Section 9, Chapter 269, O.S.L. 2016 (74 O.S. Supp.
20 2018, Section 85.3A), is amended to read as follows:

21 Section 85.3A A. Compliance with the provisions of The
22 Oklahoma Central Purchasing Act shall not be required of:

- 23 1. County government;
- 24 2. The Oklahoma State Regents for Higher Education, the
institutions, centers, or other constituent agencies of The Oklahoma
State System of Higher Education;

1 3. The telecommunications network known as OneNet;

2 4. The Department of Public Safety gun range;

3 5. The State Treasurer for the following purchases:

4 a. services, including, but not limited to, legal
5 services to assist in the administration of the
6 Uniform Unclaimed Property Act, as provided in Section
7 668 of Title 60 of the Oklahoma Statutes, and

8 b. software, hardware and associated services to assist
9 in the administration of funds and securities held by
10 the state, as provided in Section 71.2 of Title 62 of
11 the Oklahoma Statutes; ~~or~~

12 6. CompSource Oklahoma if CompSource Oklahoma is operating
13 pursuant to a pilot program authorized by Sections 3316 and 3317 of
14 this title; or

15 7. The Oklahoma Department of Veterans Affairs.

16 B. The State Purchasing Director may form an advisory committee
17 consisting of representatives from entities exempted from the
18 provisions of The Oklahoma Central Purchasing Act. The purpose of
19 the committee shall be to allow committee members to provide input
20 into the development of shared state purchasing contracts,
21 collaboratively participate in the integration of their purchasing
22 platforms or electronic purchasing catalogs, analyze solutions that
23 may be used by state government to meet the purchasing needs of the
24 entities, explore joint purchases of general use items that result

1 in mutual procurement of quality goods and services at the lowest
2 reasonable cost and explore flexibility, administrative relief, and
3 transformation changes through utilization of procurement
4 technology.

5 C. At the invitation of the State Purchasing Director entities
6 exempted from the provisions of The Oklahoma Central Purchasing Act
7 shall participate in the advisory committee referenced in subsection
8 B of this section.

9 D. The State Purchasing Director may invite representatives of
10 local government and local common education entities to participate
11 as members of the advisory committee.

12 SECTION 2. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 63.22 of Title 74, unless there
14 is created a duplication in numbering, reads as follows:

15 A. The Oklahoma Department of Veterans Affairs may grant a
16 preference for purposes of the expenditure of funds for tangible or
17 intangible personal property or services to be acquired by the
18 agency to an honorably discharged veteran or to a lawfully
19 recognized business entity the majority ownership of which fifty-one
20 percent (51%) or more is held by an honorably discharged veteran at
21 the time the contract is awarded.

22 B. No individual veteran or veteran-owned business entity, as
23 defined in subsection A of this section, shall be eligible for
24 consideration as a vendor pursuant to this section unless the

1 individual veteran or veteran-owned business entity has registered
2 with the federal System for Award Management (SAM.gov) in the same
3 manner as required to do business with the federal government.

4 C. As used in this section, the term "veteran" shall be defined
5 in accordance with Section 2 of Title 72 of the Oklahoma Statutes.

6 SECTION 3. This act shall become effective July 1, 2019.

7 SECTION 4. It being immediately necessary for the preservation
8 of the public peace, health or safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.

11 Passed the House of Representatives the 7th day of March, 2019.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ___ day of _____, 2019.

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Presiding Officer of the Senate

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