

1 ENGROSSED HOUSE AMENDMENT  
TO

2 ENGROSSED SENATE BILL NO. 135

By: Simpson and Rosino of the  
Senate

3  
4 and

5 Hardin (Tommy) of the House

6  
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 Central  
11 Purchasing Act; modifying exempt agencies; providing  
12 for certain preference to honorably discharged  
13 veterans; defining term; providing for test of  
14 majority ownership interests; providing for  
15 codification; providing an effective date; and  
16 declaring an emergency.

17  
18 AMENDMENT NO. 1. Delete the title, enacting clause and entire bill  
19 and replace with:

20 "An Act relating to state purchasing procedures;  
21 amending 74 O.S. 2011, Section 85.3A, as last  
22 amended by Section 9, Chapter 269, O.S.L. 2016 (74  
23 O.S. Supp. 2018, Section 85.3A), which relates to  
24 The Oklahoma Central Purchasing Act; modifying  
exempt agencies; providing for certain preference to  
honorably discharged veterans; defining term;  
providing for codification; providing an effective  
date; and declaring an emergency.

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

1 SECTION 1. AMENDATORY 74 O.S. 2011, Section 85.3A, as  
2 last amended by Section 9, Chapter 269, O.S.L. 2016 (74 O.S. Supp.  
3 2018, Section 85.3A), is amended to read as follows:

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

6 1. County government;

7 2. The Oklahoma State Regents for Higher Education, the  
8 institutions, centers, or other constituent agencies of The Oklahoma  
9 State System of Higher Education;

10 3. The telecommunications network known as OneNet;

11 4. The Department of Public Safety gun range;

12 5. The State Treasurer for the following purchases:

13 a. services, including, but not limited to, legal  
14 services to assist in the administration of the  
15 Uniform Unclaimed Property Act, as provided in Section  
16 668 of Title 60 of the Oklahoma Statutes, and

17 b. software, hardware and associated services to assist  
18 in the administration of funds and securities held by  
19 the state, as provided in Section 71.2 of Title 62 of  
20 the Oklahoma Statutes; ~~or~~

21 6. CompSource Oklahoma if CompSource Oklahoma is operating  
22 pursuant to a pilot program authorized by Sections 3316 and 3317 of  
23 this title; or

24

1        7. The Oklahoma Department of Veterans Affairs, in accordance  
2 with Section 2 of this act.

3        B. The State Purchasing Director may form an advisory committee  
4 consisting of representatives from entities exempted from the  
5 provisions of The Oklahoma Central Purchasing Act. The purpose of  
6 the committee shall be to allow committee members to provide input  
7 into the development of shared state purchasing contracts,  
8 collaboratively participate in the integration of their purchasing  
9 platforms or electronic purchasing catalogs, analyze solutions that  
10 may be used by state government to meet the purchasing needs of the  
11 entities, explore joint purchases of general use items that result  
12 in mutual procurement of quality goods and services at the lowest  
13 reasonable cost and explore flexibility, administrative relief, and  
14 transformation changes through utilization of procurement  
15 technology.

16        C. At the invitation of the State Purchasing Director entities  
17 exempted from the provisions of The Oklahoma Central Purchasing Act  
18 shall participate in the advisory committee referenced in subsection  
19 B of this section.

20        D. The State Purchasing Director may invite representatives of  
21 local government and local common education entities to participate  
22 as members of the advisory committee.  
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1           SECTION 2.           NEW LAW           A new section of law to be codified  
2 in the Oklahoma Statutes as Section 63.22 of Title 72, unless there  
3 is created a duplication in numbering, reads as follows:

4           A. The Oklahoma Department of Veterans Affairs may grant a  
5 preference for purposes of the expenditure of funds for tangible or  
6 intangible personal property or services to be acquired by the  
7 agency to an honorably discharged veteran or to a lawfully  
8 recognized business entity the majority ownership of which, fifty-  
9 one percent (51%) or more, is held by an honorably discharged  
10 veteran at the time the contract is awarded.

11           B. No individual veteran or veteran-owned business entity, as  
12 defined in subsection A of this section, shall be eligible for  
13 consideration as a veteran vendor pursuant to this section unless  
14 the individual veteran or veteran-owned business entity has  
15 registered with the federal System for Award Management (SAM.gov) in  
16 the same manner as required to do business with the federal  
17 government or has met alternate requirements for qualification or  
18 substantiation as established by the Oklahoma Department of Veterans  
19 Affairs.

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

22           D. The Oklahoma Department of Veterans Affairs may promulgate  
23 rules for implementing the provisions of this section.

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



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2 BILL NO. 135

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5  
6 An Act relating to state purchasing procedures;  
7 amending 74 O.S. 2011, Section 85.3A, as last amended  
8 by Section 9, Chapter 269, O.S.L. 2016 (74 O.S. Supp.  
9 2018, Section 85.3A), which relates to the Central  
10 Purchasing Act; modifying exempt agencies; providing  
11 for certain preference to honorably discharged  
12 veterans; defining term; providing for test of  
13 majority ownership interests; providing for  
14 codification; providing an effective date; and  
15 declaring an emergency.

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

17 SECTION 5. AMENDATORY 74 O.S. 2011, Section 85.3A, as  
18 last amended by Section 9, Chapter 269, O.S.L. 2016 (74 O.S. Supp.  
19 2018, Section 85.3A), is amended to read as follows:

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

- 22 1. County government;
- 23 2. The Oklahoma State Regents for Higher Education, the  
24 institutions, centers, or other constituent agencies of The Oklahoma  
State System of Higher Education;
3. The telecommunications network known as OneNet;
4. The Department of Public Safety gun range;

1 5. The State Treasurer for the following purchases:

- 2 a. services, including, but not limited to, legal  
3 services to assist in the administration of the  
4 Uniform Unclaimed Property Act, as provided in Section  
5 668 of Title 60 of the Oklahoma Statutes, and  
6 b. software, hardware and associated services to assist  
7 in the administration of funds and securities held by  
8 the state, as provided in Section 71.2 of Title 62 of  
9 the Oklahoma Statutes; ~~or~~

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

13 7. The Oklahoma Department of Veterans Affairs, which shall  
14 solicit bids for goods or services to be acquired by the agency from  
15 lawfully recognized business entities owned by honorably discharged  
16 veterans.

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

1 entities, explore joint purchases of general use items that result  
2 in mutual procurement of quality goods and services at the lowest  
3 reasonable cost and explore flexibility, administrative relief, and  
4 transformation changes through utilization of procurement  
5 technology.

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

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

13 SECTION 6. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 63.22 of Title 74, unless there  
15 is created a duplication in numbering, reads as follows:

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

23 B. No individual veteran or veteran-owned business entity, as  
24 defined in subsection A of this section, shall be eligible for

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

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

7 SECTION 7. This act shall become effective July 1, 2019.

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

12 Passed the Senate the 6th day of March, 2019.

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Presiding Officer of the Senate

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16 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
17 2019.

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Presiding Officer of the House  
of Representatives

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