

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 829

By: Murdock of the Senate

and

Wallace of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to state property; requiring state
11 agencies under certain conditions to provide fencing
12 of certain property; defining term; exempting certain
13 state properties; amending 74 O.S. 2011, Section
14 85.3A, as last amended by Section 4, Chapter 98,
15 O.S.L. 2020 (74 O.S. Supp. 2020, Section 85.3A),
16 which relates to exemptions from the Central
17 Purchasing Act; including certain fencing materials;
18 providing for codification; and providing an
19 effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 327.4 of Title 61, unless there
is created a duplication in numbering, reads as follows:

A. Beginning on the effective date of this act when leases are
entered into or renewed for state property held by the state
pursuant to Section 327 of Title 61 of the Oklahoma Statutes, state
agencies that have jurisdiction over parcels of land leased for

1 livestock use containing eighty (80) or more acres of contiguous
2 land shall provide permanent fencing for the perimeter of the
3 grazing property leased for livestock grazing. The agency shall
4 provide the fencing materials and not the lessee. Tilled lands
5 shall not require perimeter fencing. Provided, however, any state-
6 owned property that is fenced on the effective date of this act and
7 such fence is owned by the state shall be exempt from the provisions
8 of this act.

9 For the purposes of this section, "permanent fencing" shall mean
10 four wires. Any fence that is over one-quarter (1/4) of a mile in
11 length shall have a wooden or steel pipe post every fifth post.

12 B. State-owned property pursuant to Section 2200 et seq. of
13 Title 74 of the Oklahoma Statutes and Section 861 et seq. of Title
14 82 of the Oklahoma Statutes shall be exempt from provisions of this
15 section.

16 SECTION 2. AMENDATORY 74 O.S. 2011, Section 85.3A, as
17 amended by Section 4, Chapter 98, O.S.L. 2020 (74 O.S. Supp. 2020,
18 Section 85.3A), is amended to read as follows:

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

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

12 6. Statutorily allowed interagency agreements between state
13 agencies;

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

16 8. A transaction, wholly funded by monies other than state-
17 derived funds, in which a state agency functions only as a pass-
18 through conduit to fund an acquisition that is required by the
19 funding source for the benefit of another entity or individuals and
20 the state agency does not retain ownership of any part of the
21 acquisition as a result of the transaction; or

22 9. The purchase of required fencing materials by a state agency
23 to establish permanent perimeter fencing of their leased grazing
24 lands as specified in and authorized by Section 1 of this act.

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

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

18 D. The State Purchasing Director may invite representatives of
19 political subdivisions, and local common education entities to
20 participate as members of the advisory committee.

21 SECTION 3. This act shall become effective November 1, 2021.

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