

1 **SENATE FLOOR VERSION**

2 March 1, 2021

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 829

By: Murdock of the Senate

and

Wallace of the House

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9 [state property - fencing of certain property -
10 exemptions from the Central Purchasing Act -
11 codification - effective date]

12
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

17 A. Beginning on the effective date of this act when leases are
18 entered into or renewed for state property held by the state
19 pursuant to Section 327 of Title 61 of the Oklahoma Statutes, state
20 agencies that have jurisdiction over parcels of land leased for
21 livestock use containing eighty (80) or more acres of contiguous
22 land shall provide permanent fencing for the perimeter of the
23 grazing property leased for livestock grazing. The agency may
24 provide the fencing materials to the lessee for fair payment or

1 trade. Tilled lands shall not require perimeter fencing. Provided,
2 however, any state-owned property that is fenced on the effective
3 date of this act and such fence is owned by the state shall be
4 exempt from the provisions of this act. Provided that such fence
5 exempt from this section, at the time of replacement, shall meet the
6 requirements of permanent fencing as defined in this section.

7 Any property held by the state pursuant to Section 327 of Title
8 61 of the Oklahoma Statutes that is currently leased for livestock
9 grazing and does not have a permanent fence for the perimeter of the
10 grazing property upon the effective date of this act shall provide,
11 in accordance with this section, for such a fence upon the
12 expiration or renewal of the lease.

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

16 B. State-owned property pursuant to Section 2200 et seq. of
17 Title 74 of the Oklahoma Statutes and Section 861 et seq. of Title
18 82 of the Oklahoma Statutes shall be exempt from provisions of this
19 section.

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

23 Section 85.3A. A. Compliance with the provisions of the
24 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
- 9 services to assist in the administration of the
- 10 Uniform Unclaimed Property Act, as provided in Section
- 11 668 of 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; ~~or~~
- 20 8. A transaction, wholly funded by monies other than state-
- 21 derived funds, in which a state agency functions only as a pass-
- 22 through conduit to fund an acquisition that is required by the
- 23 funding source for the benefit of another entity or individuals and
- 24

1 the state agency does not retain ownership of any part of the
2 acquisition as a result of the transaction; or

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

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

19 C. At the invitation of the State Purchasing Director entities
20 exempted from the provisions of the Oklahoma Central Purchasing Act
21 shall participate in the advisory committee referenced in subsection
22 B of this section.

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

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

5 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
6 March 1, 2021 - DO PASS AS AMENDED
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