

1 ENGROSSED SENATE
2 BILL NO. 853

By: Dossett (J.J.) of the
Senate

3 and

4 Burns of the House
5
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7 An Act relating to the Oklahoma Central Purchasing
8 Act; amending 74 O.S. 2011, Section 85.3A, as last
9 amended by Section 4, Chapter 98, O.S.L. 2020 (74
10 O.S. Supp. 2020, Section 85.3A), which relates to
11 exempted entities; exempting the Oklahoma Military
12 Department from the provisions of the Oklahoma
Central Purchasing Act for certain purchases; and
providing an effective date.

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

14 SECTION 1. AMENDATORY 74 O.S. 2011, Section 85.3A, as
15 last amended by Section 4, Chapter 98, O.S.L. 2020 (74 O.S. Supp.
16 2020, Section 85.3A), is amended to read as follows:

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

- 19 1. County government;
- 20 2. The Oklahoma State Regents for Higher Education, the
21 institutions, centers, or other constituent agencies of The Oklahoma
22 State System of Higher Education;
- 23 3. The telecommunications network known as OneNet;
- 24 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;

10 6. Statutorily allowed interagency agreements between state
11 agencies;

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

14 8. The Oklahoma Military Department for the purchases of
15 heraldry items including, but limited to, medals, badges and other
16 military accoutrements; or

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

23 B. The State Purchasing Director may form an advisory committee
24 consisting of representatives from entities exempted from the

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

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

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

19 SECTION 2. This act shall become effective November 1, 2021.
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1 Passed the Senate the 8th day of March, 2021.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2021.

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8 _____
9 Presiding Officer of the House
10 of Representatives