

1 STATE OF OKLAHOMA

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

3 SENATE BILL 882

By: Jett

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6 AS INTRODUCED

7 An Act relating to the State Fire Marshal;
8 authorizing the State Fire Marshal to purchase
9 software, hardware and associated services to assist
10 with operations of the Office of the State Fire
11 Marshal; providing for a solicitation of proposals on
12 a competitive basis; exempting such purchases from
13 the Oklahoma Central Purchasing Act; authorizing
14 purchases to be made without the approval of the
15 Director of the Office of Management and Enterprise
16 Services; amending 74 O.S. 2011, Section 85.3A, as
17 last amended by Section 4, Chapter 98, O.S.L. 2020
18 (74 O.S. Supp. 2020, Section 85.3A), which relates to
19 exempted entities; exempting the State Fire Marshal
20 for certain purchases; providing for codification;
21 and providing an effective date.

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

25 SECTION 1. NEW LAW A new section of law to be codified
26 in the Oklahoma Statutes as Section 324.10a of Title 74, unless
27 there is created a duplication in numbering, reads as follows:

28 The State Fire Marshal is authorized to purchase software,
29 hardware, and associated services to assist the Office of the State
30 Fire Marshal including, but not be limited to, fire and arson
31 investigations, code enforcement and public education under the

1 supervision of the State Fire Marshal Commission and in accordance
2 with Commission policies. The purchase of software, hardware and
3 associated services shall be chosen by a solicitation of proposals
4 on a competitive basis but shall be exempt from the provisions of
5 the Oklahoma Central Purchasing Act. Such purchases by the State
6 Fire Marshal for these purposes shall not require the authorization
7 of the Director of the Office of Management and Enterprise Services.

8 SECTION 2. AMENDATORY 74 O.S. 2011, Section 85.3A, as
9 last amended by Section 4, Chapter 98, O.S.L. 2020 (74 O.S. Supp.
10 2020, Section 85.3A), is amended to read as follows:

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

- 13 1. County government;
- 14 2. The Oklahoma State Regents for Higher Education, the
15 institutions, centers, or other constituent agencies of The Oklahoma
16 State System of Higher Education;
- 17 3. The telecommunications network known as OneNet;
- 18 4. The Department of Public Safety gun range;
- 19 5. The State Treasurer for the following purchases:
 - 20 a. services, including, but not limited to, legal
21 services to assist in the administration of the
22 Uniform Unclaimed Property Act, as provided in Section
23 668 of Title 60 of the Oklahoma Statutes, and
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1 b. software, hardware and associated services to assist
2 in the administration of funds and securities held by
3 the state, as provided in Section 71.2 of Title 62 of
4 the Oklahoma Statutes;

5 6. The State Fire Marshal for the purchase of software,
6 hardware and associated services to assist the Office of the State
7 Fire Marshal, as provided in Section 1 of this act;

8 7. Statutorily allowed interagency agreements between state
9 agencies;

10 ~~7.~~ 8. The Oklahoma Department of Veterans Affairs, in
11 accordance with Section 63.22 of Title 72 of the Oklahoma Statutes;
12 or

13 ~~8.~~ 9. A transaction, wholly funded by monies other than state-
14 derived funds, in which a state agency functions only as a pass-
15 through conduit to fund an acquisition that is required by the
16 funding source for the benefit of another entity or individuals and
17 the state agency does not retain ownership of any part of the
18 acquisition as a result of the transaction.

19 B. The State Purchasing Director may form an advisory committee
20 consisting of representatives from entities exempted from the
21 provisions of the Oklahoma Central Purchasing Act. The purpose of
22 the committee shall be to allow committee members to provide input
23 into the development of shared state purchasing contracts,
24 collaboratively participate in the integration of their purchasing

1 platforms or electronic purchasing catalogs, analyze solutions that
2 may be used by state government to meet the purchasing needs of the
3 entities, explore joint purchases of general use items that result
4 in mutual procurement of quality goods and services at the lowest
5 reasonable cost and explore flexibility, administrative relief, and
6 transformation changes through utilization of procurement
7 technology.

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

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

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

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