

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2330

By: Burns

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9 COMMITTEE SUBSTITUTE

10 An Act relating to state purchasing procedures;
11 amending 74 O.S. 2011, Section 85.3A, as last amended
12 by Section 9, Chapter 269, O.S.L. 2016 (74 O.S. Supp.
13 2018, Section 85.3A), which relates to The Oklahoma
14 Central Purchasing Act; modifying exempt agencies;
15 providing for certain preference to honorably
16 discharged veterans or certain business entity based
17 upon ownership interest; defining term; providing for
18 codification; providing an effective date; and
19 declaring an emergency.

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

21 SECTION 1. AMENDATORY 74 O.S. 2011, Section 85.3A, as
22 last amended by Section 9, Chapter 269, O.S.L. 2016 (74 O.S. Supp.
23 2018, Section 85.3A), is amended to read as follows:

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

 1. County government;

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

4 3. The telecommunications network known as OneNet;

5 4. The Department of Public Safety gun range;

6 5. The State Treasurer for the following purchases:

7 a. services, including, but not limited to, legal
8 services to assist in the administration of the
9 Uniform Unclaimed Property Act, as provided in Section
10 668 of Title 60 of the Oklahoma Statutes, and

11 b. software, hardware and associated services to assist
12 in the administration of funds and securities held by
13 the state, as provided in Section 71.2 of Title 62 of
14 the Oklahoma Statutes; ~~or~~

15 6. CompSource Oklahoma if CompSource Oklahoma is operating
16 pursuant to a pilot program authorized by Sections 3316 and 3317 of
17 this title; or

18 7. The Oklahoma Department of Veterans Affairs.

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 local government and local common education entities to participate
14 as members of the advisory committee.

15 SECTION 2. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 63.22 of Title 74, unless there
17 is created a duplication in numbering, reads as follows:

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

1 B. No individual veteran or veteran-owned business entity, as
2 defined in subsection A of this section, shall be eligible for
3 consideration as a vendor pursuant to this section unless the
4 individual veteran or veteran-owned business entity has registered
5 with the federal System for Award Management (SAM.gov) in the same
6 manner as required to do business with the federal government.

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

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

10 SECTION 4. It being immediately necessary for the preservation
11 of the public peace, health or safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

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15 COMMITTEE REPORT BY: COMMITTEE ON VETERANS AND MILITARY AFFAIRS,
16 dated 02/26/2019 - DO PASS, As Amended.