

1 STATE OF OKLAHOMA

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

3 SENATE BILL 278

By: Montgomery

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5
6 AS INTRODUCED

7 An Act relating to state government; amending 74 O.S.
8 2011, Section 3007, as last amended by Section 119,
9 Chapter 15, O.S.L. 2013 (74 O.S. Supp. 2020, Section
10 3007), which relates to the State Use Committee;
11 providing exemptions for the Oklahoma Department of
12 Veterans Affairs; adding expiration of temporary
13 exception; and declaring an emergency.

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

15 SECTION 1. AMENDATORY 74 O.S. 2011, Section 3007, as
16 last amended by Section 119, Chapter 15, O.S.L. 2013 (74 O.S. Supp.
17 2020, Section 3007), is amended to read as follows:

18 Section 3007. A. ~~Whenever~~ Except as provided in subsection C
19 of this section, whenever the State of Oklahoma or any of its
20 agencies intends to procure any product or service included in the
21 procurement schedule, that entity shall secure the product or
22 service from a qualified nonprofit agency providing employment to
23 people with severe disabilities at the fair market price determined
24 by the Committee if the product or service is available within the
25 period required by the entity.

1 B. An agency of this state shall not evade the intent and
2 meaning of this section by slight variations from standards adopted
3 by the Office of Management and Enterprise Services.

4 C. Provided, the requirements of this section shall not apply
5 to ~~the~~ the:

6 1. The procurement of janitorial services by the Oklahoma State
7 Bureau of Investigation. The Bureau shall conduct background
8 investigations and national criminal history record checks on
9 companies and individuals with which it contracts to provide
10 janitorial services; or

11 2. The Oklahoma Department of Veterans Affairs for any purchase
12 made from a veteran-owned business as defined in Section 63.22 of
13 Title 72 of the Oklahoma Statutes.

14 D. When the fair market price for a product or service approved
15 by the Committee exceeds a current market price for the same product
16 or service, and such lower market price has been verified by the
17 agency through compliance with the fair market analysis process
18 approved by the Office of Management and Enterprise Services, the
19 state use contracting officer may grant a temporary exception to a
20 requesting agency so that the agency may purchase the product or
21 service from the vendor offering the lower market price. The
22 temporary exception shall ~~automatically~~ expire ~~when a new fair~~
23 ~~market price is established by the State Use Committee~~ two (2) years
24 from the date the exception was granted.

1 SECTION 2. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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