

1 ENGROSSED HOUSE  
2 BILL NO. 2743

By: Caldwell (Trey) of the  
House

3 and

4 Green of the Senate

5  
6 [ competitive bidding - cooperative purchasing  
7 agreements - authority - effective date -

8 emergency ]

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11  
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 61 O.S. 2021, Section 139, is  
14 amended to read as follows:

15 Section 139. A. In addition to any authority to enter an  
16 agreement pursuant to the Interlocal Cooperation Act, any school  
17 district, including a technology school district, may either  
18 participate in, sponsor, conduct or administer a cooperative  
19 purchasing agreement for the acquisition of any commodities ~~or~~  
20 ~~services~~ with one or more public agencies in accordance with an  
21 agreement entered into between the participants. Such cooperative  
22 purchasing may include, but is not limited to, joint or multiparty  
23 contracts between public agencies and open-ended state public  
24 procurement contracts.

1 B. Any local public procurement unit may either participate in,  
2 sponsor, conduct or administer a cooperative or piggybacking  
3 purchasing agreement for the acquisition of any commodities ~~or~~  
4 ~~services, including construction services,~~ with one (1) or more  
5 public procurement units or external procurement units in accordance  
6 with an agreement entered into between the participants. Such  
7 cooperative purchasing may include, but is not limited to, joint or  
8 multiparty contracts between public procurement units and open-ended  
9 state public procurement unit contracts which are made available to  
10 local public procurement units. Purchases made in accordance with  
11 this subsection by a local public procurement unit shall be required  
12 to satisfy any procurement regulation, including The Central  
13 Purchasing Act, the Public Competitive Bidding Act, the Finance Act,  
14 related administrative rules and federal regulations that may apply  
15 due to the federal source of the funding for the anticipated  
16 purchase.

17 C. For purposes of this section, the following definitions  
18 apply:

19 1. "Local public procurement unit" shall mean, inter alia, any  
20 county, city, town, state agency, and any other subdivision of the  
21 state or public unit or agency thereof;

22 2. "External procurement unit" shall mean any buying  
23 organization in the United States not located in this state which,  
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1 if located in this state, would qualify as a public procurement  
2 unit; and

3 3. "Cooperative or piggybacking purchasing agreement" shall  
4 mean an agreement between a local public procurement unit and  
5 another local public procurement unit or an external procurement  
6 unit to authorize the use of a contract procured by one of the  
7 parties to the agreement to benefit the other party to the  
8 agreement. This term shall also mean an agreement that provides  
9 access to a product ~~or service~~ that is lower in price than a  
10 comparable product ~~or service~~ that is available through the usage of  
11 a statewide, multistate or multigovernmental contract issued by the  
12 state Purchasing Division.

13 D. Nothing in this section shall supersede the obligation of a  
14 state agency to adhere to rules regarding statewide contracts issued  
15 by the state Purchasing Division. Neither shall any provision of  
16 this section be construed to waive the obligation of a state agency  
17 to utilize a mandatory purchasing contract as designated by the  
18 State Purchasing Director.

19 SECTION 2. This act shall become effective July 1, 2025.

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

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1 Passed the House of Representatives the 25th day of March, 2025.

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3 \_\_\_\_\_  
4 Presiding Officer of the House  
of Representatives

5 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2025.

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9 Presiding Officer of the Senate