

An Act

ENROLLED SENATE
BILL NO. 135

By: Simpson and Rosino of the
Senate

and

Hardin (Tommy) and Luttrell
of the House

An Act relating to state purchasing procedures; amending 74 O.S. 2011, Section 85.3A, as last amended by Section 9, Chapter 269, O.S.L. 2016 (74 O.S. Supp. 2018, Section 85.3A), which relates to The Oklahoma Central Purchasing Act; modifying exempt agencies; providing for certain preference to honorably discharged veterans; defining term; providing for codification; providing an effective date; and declaring an emergency.

SUBJECT: Oklahoma Department of Veterans Affairs

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

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

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

1. County government;

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

3. The telecommunications network known as OneNet;

4. The Department of Public Safety gun range;

5. The State Treasurer for the following purchases:

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

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

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

7. The Oklahoma Department of Veterans Affairs, in accordance with Section 2 of this act.

B. The State Purchasing Director may form an advisory committee consisting of representatives from entities exempted from the provisions of The Oklahoma Central Purchasing Act. The purpose of the committee shall be to allow committee members to provide input into the development of shared state purchasing contracts, collaboratively participate in the integration of their purchasing platforms or electronic purchasing catalogs, analyze solutions that may be used by state government to meet the purchasing needs of the entities, explore joint purchases of general use items that result in mutual procurement of quality goods and services at the lowest reasonable cost and explore flexibility, administrative relief, and transformation changes through utilization of procurement technology.

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

D. The State Purchasing Director may invite representatives of local government and local common education entities to participate as members of the advisory committee.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 63.22 of Title 72, unless there is created a duplication in numbering, reads as follows:

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

B. No individual veteran or veteran-owned business entity, as defined in subsection A of this section, shall be eligible for consideration as a veteran vendor pursuant to this section unless the individual veteran or veteran-owned business entity has registered with the federal System for Award Management (SAM.gov) in the same manner as required to do business with the federal government or has met alternate requirements for qualification or substantiation as established by the Oklahoma Department of Veterans Affairs.

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

D. The Oklahoma Department of Veterans Affairs may promulgate rules for implementing the provisions of this section.

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

SECTION 4. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 8th day of May, 2019.

Presiding Officer of the Senate

Passed the House of Representatives the 24th day of April, 2019.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____