

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 SENATE BILL 1849

By: Paxton

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5
6 AS INTRODUCED

7 An Act relating to cooperative purchasing agreements;
8 amending 61 O.S. 2021, Section 139, which relates to
9 the authority to enter cooperative purchasing
10 agreements; establishing monetary limit for certain
11 agreement; and providing an effective date.

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. No school district, including a technology

1 school district, shall enter into an agreement under the provisions
2 of this section that exceeds One Million Dollars (\$1,000,000.00).

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

19 C. For purposes of this section, the following definitions
20 apply:

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

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

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

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

21 SECTION 2. This act shall become effective November 1, 2024.

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