

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
BILL NO. 2365

By: Burns and Bell of the House

3
4 and

Coleman of the Senate

5
6
7 [state government - creating the Oklahoma Supplier
8 Diversity Initiative - effective date]
9

10
11 AUTHOR: Add the following House Coauthor: Pittman

12 AMENDMENT NO. 1. Page 1, strike the stricken title, enacting clause
and entire bill and insert

13
14 "An Act relating to state government; creating the
15 Oklahoma Supplier Diversity Initiative; providing for
16 registration for certain notifications; allowing for
17 quotes for select purchases; authorizing Oklahoma
18 Department of Commerce to develop a diversity
19 certification program; providing for qualifications;
directing Office of Management and Enterprise
Services to amend vendor registration process, create
a search tool and develop certain index; providing
for submission of report; providing for codification;
and providing an effective date.

20
21
22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
23
24

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 85.45j.11 of Title 74, unless
3 there is created a duplication in numbering, reads as follows:

4 A. There is hereby created the "Oklahoma Supplier Diversity
5 Initiative", which shall be a state-sponsored supplier diversity
6 program to provide a resource for state agencies and private
7 businesses to utilize diverse firms in procurement opportunities to
8 encourage growth in the economy of the state. The program shall
9 provide convenience for qualified and certified small business
10 enterprises and minority business enterprises in contracting
11 projects in underserved areas.

12 B. The program shall allow diverse business enterprises to
13 register with the Office of Management and Enterprise Services and
14 allow registered vendors to be automatically notified of
15 opportunities to do business with the state for specific
16 commodities. The program shall provide for simplified vendor
17 registration processes.

18 C. The program shall authorize the Oklahoma Department of
19 Commerce to develop a diversity certification program to qualify and
20 certify diverse business enterprises for the state.

21 D. To qualify for the program, businesses shall have less than
22 five hundred total employees, an annual revenue equal to or less
23 than Twenty-five Million Dollars (\$25,000,000.00) and be certified
24 as one of the following:

- 1 1. An Oklahoma Department of Transportation Disadvantaged
2 Business Enterprise;
- 3 2. Any of the following entities certified by the United States
4 Small Business Administration:
- 5 a. Woman-Owned Small Business,
 - 6 b. Minority-Business Enterprise,
 - 7 c. Small Disadvantaged Business,
 - 8 d. Service-disabled Veteran-Owned Small Business,
 - 9 e. HUBZone Small Business Concern, and
 - 10 f. 8(a) Business Development Program;
- 11 3. A Native American-owned Business; or
- 12 4. A Veteran-owned Business.
- 13 E. The Central Purchasing Division of the Office of Management
14 and Enterprise Services shall:
- 15 1. Amend the vendor registration process to require diversity
16 certification check off and size standard information; and
 - 17 2. Create a search tool for all state agencies and public or
18 private entities to utilize to obtain contact information for
19 diverse firms for the purpose of promoting procurement opportunities
20 within the state.
- 21 F. On or before September 1 of each year, the State Purchasing
22 Director shall submit a report to the Governor, the Speaker of the
23 House of Representatives and the President Pro Tempore of the Senate
24 on the status of the percentile of state funds expended on contracts

1 awarded to a certified Oklahoma Department of Transportation
2 Disadvantaged Business Enterprise and all of the entities certified
3 by the United States Small Business Administration mentioned in
4 subsection D of this section in the preceding fiscal year. The
5 report may include related economic impacts when applicable. The
6 report, statistics or other information concerning the participation
7 in the program shall be retained by the Office of Management and
8 Enterprise Services.

9 G. The Oklahoma Department of Commerce shall promulgate rules
10 to create and administer the Oklahoma Supplier Diversity Initiative.

11 SECTION 2. This act shall become effective November 1, 2021.”
12

13 Passed the Senate the 21st day of April, 2021.
14

15 _____
16 Presiding Officer of the Senate

17 Passed the House of Representatives the ____ day of _____,
18 2021.

19 _____
20 Presiding Officer of the House
21 of Representatives
22
23
24

1 ENGROSSED HOUSE
2 BILL NO. 2365

By: Burns and Bell of the House
and
Coleman of the Senate

3
4
5
6
7 [state government - creating the Oklahoma Supplier
8 Diversity Initiative - effective date]
9
10
11

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

13 SECTION 3. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 85.45j.11 of Title 74, unless
15 there is created a duplication in numbering, reads as follows:

16 A. There is hereby created the "Oklahoma Supplier Diversity
17 Initiative", which shall be a state-sponsored supplier diversity
18 program to provide a resource for state agencies and private
19 businesses to utilize diverse firms in procurement opportunities to
20 encourage growth in the economy of the state. The program shall
21 provide convenience for qualified and certified small business
22 enterprises and minority business enterprises in contracting
23 projects in underserved areas.
24

1 B. The program shall allow diverse business enterprises to
2 register with the Office of Management and Enterprise Services and
3 allow registered vendors to be automatically notified of
4 opportunities to do business with the state for specific
5 commodities. The program shall provide for simplified vendor
6 registration processes.

7 C. The program shall authorize the Oklahoma Department of
8 Commerce to develop a diversity certification program to qualify and
9 certify diverse business enterprises for the State of Oklahoma. In
10 addition, the program shall authorize third-party diversity
11 certifications under the U.S. Department of Transportation, United
12 States Small Business Administration and other approved third-party
13 certifications as determined appropriate to meet qualifications.

14 D. To qualify for the program, businesses shall have less than
15 five hundred total employees, an annual revenue equal to or less
16 than Twenty-five Million Dollars (\$25,000,000.00) and be certified
17 as one of the following:

18 1. An Oklahoma Department of Transportation Disadvantaged
19 Business Enterprise;

20 2. Any of the following entities certified by the United States
21 Small Business Administration:

- 22 a. Woman-Owned Small Business,
- 23 b. Minority-Business Enterprise,
- 24 c. Small Disadvantaged Business,

1 d. Service-disabled Veteran-Owned Small Business,

2 e. HUBZone, and

3 f. 8(a) Business Development Program;

4 3. A Native American-owned Business;

5 4. A Veteran-owned Business; and

6 5. A Certified HUBZone Small Business Concern by the United
7 States Small Business Administration.

8 E. The Department shall:

9 1. Amend the vendor registration process to require diversity
10 certification check off and size standard information;

11 2. Create a search tool for all state agencies and public or
12 private entities to utilize to obtain contact information for
13 diverse firms for the purpose of promoting procurement opportunities
14 within the State of Oklahoma; and

15 3. Develop a supplier-diversity-inclusion index to measure
16 utilization of certified firms and related economic impact to the
17 State of Oklahoma within one (1) year of authorization of the
18 program.

19 F. On or before September 1 of each year, the State Purchasing
20 Director shall submit a report to the Governor, the Speaker of the
21 House of Representatives and the President Pro Tempore of the Senate
22 on the status of the percentile of state funds expended on contracts
23 awarded to minority businesses in the preceding fiscal year and
24 provide any report, statistics or other information concerning the

1 participation in the program to the Office of Management and
2 Enterprise Services.

3 G. The Oklahoma Department of Commerce shall promulgate rules
4 to create and administer the Oklahoma Supplier Diversity Initiative.

5 SECTION 4. This act shall become effective November 1, 2021.

6 Passed the House of Representatives the 10th day of March, 2021.

7

8

Presiding Officer of the House
of Representatives

9

10

Passed the Senate the ___ day of _____, 2021.

11

12

13

Presiding Officer of the Senate

14

15

16

17

18

19

20

21

22

23

24