

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 HOUSE BILL 2365

By: Burns, Bell and Pittman of  
the House

6 and

7 Coleman of the Senate

8  
9 COMMITTEE SUBSTITUTE

10 [ state government - creating the Oklahoma Supplier  
11 Diversity Initiative - effective date ]

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13  
14 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

1 enterprises and minority business enterprises in contracting  
2 projects in underserved areas.

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

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

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

16 1. An Oklahoma Department of Transportation Disadvantaged  
17 Business Enterprise;

18 2. Any of the following entities certified by the United States  
19 Small Business Administration:

20 a. Woman-Owned Small Business,

21 b. Minority-Business Enterprise,

22 c. Small Disadvantaged Business,

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

24 e. HUBZone Small Business Concern, and

1 f. 8(a) Business Development Program;

2 3. A Native American-owned Business; or

3 4. A Veteran-owned Business.

4 E. The Central Purchasing Division of the Office of Management  
5 and Enterprise Services shall:

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

8 2. Create a search tool for all state agencies and public or  
9 private entities to utilize to obtain contact information for  
10 diverse firms for the purpose of promoting procurement opportunities  
11 within the state; and

12 3. Develop a supplier-diversity-inclusion index to measure  
13 utilization of certified firms and related economic impact to the  
14 state within one (1) year of authorization of the program.

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

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

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

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