

1 **SENATE FLOOR VERSION**

2 April 8, 2021

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL NO. 2365

By: Burns, Bell and Pittman of
the House

and

Coleman of the Senate

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

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

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

A. There is hereby created the "Oklahoma Supplier Diversity
Initiative", which shall be a state-sponsored supplier diversity
program to provide a resource for state agencies and private

1 businesses to utilize diverse firms in procurement opportunities to
2 encourage growth in the economy of the state. The program shall
3 provide convenience for qualified and certified small business
4 enterprises and minority business enterprises in contracting
5 projects in underserved areas.

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

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

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

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

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

23 a. Woman-Owned Small Business,

24 b. Minority-Business Enterprise,

- c. Small Disadvantaged Business,
- d. Service-disabled Veteran-Owned Small Business,
- e. HUBZone Small Business Concern, and
- f. 8(a) Business Development Program;

3. A Native American-owned Business; or

4. A Veteran-owned Business.

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

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

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

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

F. On or before September 1 of each year, the State Purchasing Director shall submit a report to the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate on the status of the percentile of state funds expended on contracts awarded to minority businesses in the preceding fiscal year and 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 2. This act shall become effective November 1, 2021.

6 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS, COMMERCE AND TOURISM
7 April 8, 2021 - DO PASS AS AMENDED
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