

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2365

By: Burns

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6 AS INTRODUCED

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

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

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

24 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  
businesses to utilize diverse firms in procurement opportunities to  
encourage growth in the economy of the state. The program shall  
provide convenience for qualified and certified small business

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 allow state agencies to obtain three  
8 bids from qualifying small and disadvantaged businesses for select  
9 purchases up to Five Hundred Thousand Dollars (\$500,000.00). The  
10 program shall provide for:

- 11 1. Simplified vendor registration processes; and
- 12 2. Simplified bidding processes.

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

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

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- 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, and
  - 10 f. 8(a) Business Development Program;
- 11 3. A Native American-owned Business;
- 12 4. A Veteran-owned Business;
- 13 5. A Certified HUBZone Small Business Concern by the United  
14 States Small Business Administration;
- 15 6. A Business having a majority of their employees maintain a  
16 principal residence within a HUBZone or Qualified Opportunity Zone;
- 17 7. An Oklahoma-based business with its principal place of  
18 business within a HUBZone or Qualified Opportunity Zone.
- 19 E. The Office of Management and Enterprise Services shall:
  - 20 1. Amend the vendor registration process to require diversity  
21 certification check off and size standard information;
  - 22 2. Create a search tool for all state agencies and public or  
23 private entities to utilize to obtain contact information for  
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1 diverse firms for the purpose of promoting procurement opportunities  
2 within the State of Oklahoma; and

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

7 F. On or before July 15 of each year, the State Purchasing  
8 Director shall submit a report to the Governor, the Speaker of the  
9 House of Representatives and the President Pro Tempore of the Senate  
10 on the status of the percentile of state funds expended on contracts  
11 awarded to minority businesses in the preceding fiscal year and  
12 provide any report, statistics or other information concerning the  
13 participation in the program to the Office of Management and  
14 Enterprise Services.

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

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