

An Act

ENROLLED HOUSE
BILL NO. 2365

By: Burns, Bell, Pittman and
Goodwin of the House

and

Coleman of the Senate

An Act relating to state government; creating the Oklahoma Supplier Diversity Initiative; providing for registration for certain notifications; allowing for quotes for select purchases; authorizing Oklahoma Department of Commerce to develop a diversity certification program; providing for qualifications; directing Office of Management and Enterprise Services to amend vendor registration process and create a search tool; providing for submission of report; requiring promulgation of rules; providing for codification; and providing an effective date.

SUBJECT: State government

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 85.45j.11 of Title 74, unless 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 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 enterprises and minority business enterprises in contracting projects in underserved areas.

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

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

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

1. An Oklahoma Department of Transportation Disadvantaged Business Enterprise;

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

a. Woman-Owned Small Business,

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; and

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.

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

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

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

Passed the House of Representatives the 6th day of May, 2021.

Presiding Officer of the House
of Representatives

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

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____