

1 ENGROSSED SENATE
2 BILL NO. 119

By: Bergstrom of the Senate

3 and

4 Lepak and Pae of the House

5
6 An Act relating to state government; amending 74 O.S.
7 2021, Section 85.45j.11, which relates to the
8 Oklahoma Supplier Diversity Initiative; adding
9 certain type of business to the program; providing
10 conditions for consideration; and providing an
11 effective date.

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

13 SECTION 1. AMENDATORY 74 O.S. 2021, Section 85.45j.11,
14 is amended to read as follows:

15 Section 85.45j.11. A. There is hereby created the "Oklahoma
16 Supplier Diversity Initiative", which shall be a state-sponsored
17 supplier diversity program to provide a resource for state agencies
18 and private businesses to utilize diverse firms in procurement
19 opportunities to encourage growth in the economy of the state. The
20 program shall provide convenience for qualified and certified small
21 business enterprises and minority business enterprises in
22 contracting projects in underserved areas.

23 B. The program shall allow diverse business enterprises to
24 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~~ A Department of Transportation Disadvantaged Business Enterprise;

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

a. ~~Woman-Owned~~ Women-Owned Small Business,

b. Minority-Business Enterprise,

c. Small Disadvantaged Business,

d. ~~Service-disabled~~ Service-Disabled Veteran-Owned Small Business,

e. HUBZone Small Business Concern, and

f. 8(a) Business Development ~~Program~~ program;

3. A Native American-owned Business; ~~or~~

4. A Veteran-owned Business; or

1 5. An entrepreneurship certified and actively participating in
2 one of the following programs:

3 a. as a current tenant or a tenant within the last three
4 (3) years of a certified incubator pursuant to the
5 Small Business Incubators Incentives Act, or

6 b. as an active participant in the accelerator program
7 certified by the Oklahoma Center for the Advancement
8 of Science and Technology.

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

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

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

17 F. On or before September 1 of each year, the State Purchasing
18 Director shall submit a report to the Governor, the Speaker of the
19 House of Representatives and the President Pro Tempore of the Senate
20 on the status of the percentile of state funds expended on contracts
21 awarded to a certified ~~Oklahoma~~ Department of Transportation
22 Disadvantaged Business Enterprise and all of the entities certified
23 by the United States Small Business Administration mentioned in
24 subsection D of this section in the preceding fiscal year. The

1 report may include related economic impacts when applicable. The
2 report, statistics or other information concerning the participation
3 in the program shall be retained by the Office of Management and
4 Enterprise Services.

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

7 SECTION 2. This act shall become effective November 1, 2023.

8 Passed the Senate the 22nd day of March, 2023.

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Presiding Officer of the Senate

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12 Passed the House of Representatives the ____ day of _____,
13 2023.

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Presiding Officer of the House
of Representatives

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