

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 59th Legislature (2023)

4   ENGROSSED SENATE  
5   BILL NO. 119

By: Bergstrom of the Senate

and

Lepak and Pae of the House

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8                               

9                   **[ state government - Oklahoma Supplier Diversity**

10                   **Initiative - addition of type of business to the**

11                   **program - conditions for consideration - effective**

12                   **date ]**

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14                               

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

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

18           Section 85.45j.11. A. There is hereby created the "Oklahoma  
19   Supplier Diversity Initiative", which shall be a state-sponsored  
20   supplier diversity program to provide a resource for state agencies  
21   and private businesses to utilize diverse firms in procurement  
22   opportunities to encourage growth in the economy of the state. The  
23   program shall provide convenience for qualified and certified small  
24

1 business enterprises and minority business enterprises in  
2 contracting 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~~ A 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~~ Women-Owned Small Business,

21 b. Minority-Business Enterprise,

22 c. Small Disadvantaged Business,

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

1 e. HUBZone Small Business Concern, and

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

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

4 4. A Veteran-owned Business; or

5 5. An entrepreneurship certified and actively participating in

6 one of the following programs:

7 a. as a current tenant or a tenant within the last three

8 (3) years of a certified incubator pursuant to the

9 Small Business Incubators Incentives Act, or

10 b. as an active participant in the accelerator program

11 certified by the Oklahoma Center for the Advancement

12 of Science and Technology.

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

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

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

21 F. On or before September 1 of each year, the State Purchasing  
22 Director shall submit a report to the Governor, the Speaker of the  
23 House of Representatives and the President Pro Tempore of the Senate  
24 on the status of the percentile of state funds expended on contracts

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

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

11 SECTION 2. This act shall become effective November 1, 2023.  
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13 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
14 04/19/2023 - DO PASS, As Amended.  
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