

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2664

By: Steagall

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5
6 AS INTRODUCED

7 An Act relating to state government; amending 74 O.S.
8 2021, Sections 3001, as amended by Section 1, Chapter
9 252, O.S.L. 2022, 3003, as amended by Section 3,
10 Chapter 252, O.S.L. 2022 and 3004, as amended by
11 Section 4, Chapter 252, O.S.L. 2022 (74 O.S. Supp.
12 2022, Sections 3001, 3003 and 3004), which relate to
13 the State Use Advisory Council; clarifying language;
14 and providing an effective date.

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

16 SECTION 1. AMENDATORY 74 O.S. 2021, Section 3001, as
17 amended by Section 1, Chapter 252, O.S.L. 2022 (74 O.S. Supp. 2022,
18 Section 3001), is amended to read as follows:

19 Section 3001. A. There is ~~hereby~~ created in the Office of
20 Management and Enterprise Services an advisory council to be known
21 as the "State Use Advisory Council". The Council shall consist of
22 seven (7) members:

23 1. A private citizen conversant with the employment needs of
24 people with significant disabilities who shall be appointed by and

1 | serve at the pleasure of the Governor to act as an advocate for the
2 | employment needs of people with significant disabilities;

3 | 2. The Director of the Office of Management and Enterprise
4 | Services or designee;

5 | 3. The Director of the Department of Rehabilitation Services,
6 | or designee;

7 | 4. One member who shall be a state use provider who shall be
8 | appointed by the President Pro Tempore of the Senate;

9 | 5. An individual or a parent or guardian of an individual with
10 | significant disabilities who participates in vocational programming
11 | through a qualified nonprofit agency for individuals with
12 | disabilities, to be appointed by the Speaker of the House of
13 | Representatives;

14 | 6. The Director of Human Services, or designee; and

15 | 7. A person employed by the Office of Management and Enterprise
16 | Services Central Purchasing Division as a contracting officer,
17 | appointed by the State Purchasing Director.

18 | B. The private citizens on the Council shall serve for a period
19 | of two (2) years and may be reappointed by the appointing authority.
20 | Any private citizen appointed pursuant to this section to fill a
21 | vacancy occurring prior to the expiration of the term for which the
22 | predecessor was appointed shall be appointed only for the remainder
23 | of the term.

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1 The State Use Advisory Council shall meet a minimum of twice a
2 year for the purpose of exchanging ideas to market and improve the
3 State Use Program.

4 SECTION 2. AMENDATORY 74 O.S. 2021, Section 3003, as
5 amended by Section 3, Chapter 252, O.S.L. 2022 (74 O.S. Supp. 2022,
6 Section 3003), is amended to read as follows:

7 Section 3003. As used in ~~Section~~ Sections 3001 ~~et seq.~~ through
8 3009 of this title:

9 1. "Blind person" means a person having a visual acuity not to
10 exceed 20/200 in the better eye, with correcting lenses, or visual
11 acuity greater than 20/200 but with limitation in the field of
12 vision such that the widest diameter of visual field subtends an
13 angle no greater than twenty (20) degrees;

14 2. "Council" means the State Use Advisory Council;

15 3. "Qualified nonprofit agency for the employment of people
16 with significant disabilities" means a nonprofit agency employing
17 persons with significant disabilities who constitute at least
18 seventy-five percent (75%) of the direct labor hours engaged in
19 direct production, manufacturing, processing and/or assembling of
20 products or services offered by the agency for procurement by this
21 state or who meet the definition of blind person as provided for in
22 paragraph 1 of this section, or which is certified as a sheltered
23 workshop by the Wage and Hour Division of the United States
24 Department of Labor;

1 4. "Person with significant disabilities" means an individual
2 with a physical or mental disability constituting a substantial
3 handicap to employment and preventing the person from engaging in
4 normal competitive employment and/or includes any blind person;

5 5. "Qualified organization" means a blind person or qualified
6 nonprofit agency for the employment of people with significant
7 disabilities contracting to supply goods or services;

8 6. "Manufactured" means goods made by manual labor;

9 7. "Produced" means to have brought into existence or created
10 from raw materials;

11 8. "Processed" means the action of taking something through an
12 established and mostly routine set of procedures or steps to
13 substantially convert a potential product from one form to another.
14 This action involves a sequence of multiple steps each requiring a
15 distinct decision-making process to evolve a potential product to
16 the next step;

17 9. "Assemble" means to put or fit together or put together the
18 parts of a potential product;

19 10. "Central nonprofit agency (CNA)" means a qualified 501(c)3
20 nonprofit entity meeting the qualifications in the Request for
21 Procurement (RFP) issued by the Office of Management and Enterprise
22 Services selected to administer and oversee the State Use Program;
23 and
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1 11. "Procurement schedule" means a designated schedule of
2 products and services currently approved by the Office of Management
3 and Enterprise Services Central Purchasing Division as suitable to
4 procure from qualified organizations participating in the State Use
5 Program.

6 SECTION 3. AMENDATORY 74 O.S. 2021, Section 3004, as
7 amended by Section 4, Chapter 252, O.S.L. 2022 (74 O.S. Supp. 2022,
8 Section 3004), is amended to read as follows:

9 Section 3004. The Office of Management and Enterprise Services
10 Central Purchasing Division shall designate and distribute by
11 regulation a schedule, hereinafter referred to as the procurement
12 schedule, of the products directly manufactured, produced, processed
13 or assembled or services directly performed, offered or provided by
14 any person with significant disabilities or qualified nonprofit
15 agency for the employment of people with significant disabilities,
16 as defined in Section 3003 of this title, which the State Purchasing
17 Director determines are suitable for procurement by the state. The
18 products and services on contract ~~will~~ shall be published on the
19 procurement schedule and will be designated as mandatory. The
20 Office of Management and Enterprise Services Central Purchasing
21 Division shall have the authority to qualify organizations for
22 inclusion in the State Use Program, monitor qualified organizations
23 for continued compliance to remain active in the program, and remove
24 organizations from the program. The Central Purchasing Division

1 shall have the authority to award and manage contracts to the
2 qualified organizations as well as to renegotiate or cancel
3 contracts when appropriate.

4 SECTION 4. This act shall become effective November 1, 2023.

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6 59-1-6153 LRB 01/04/23

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