

HB 2337-1
(LC 279)
2/14/25 (TSB/ps)

Requested by Representative GRAYBER (at the request of Oregon Department of Administrative Services)

**PROPOSED AMENDMENTS TO
HOUSE BILL 2337**

1 On page 1 of the printed bill, delete lines 4 through 24 and delete page
2 2 and insert:

3 **“SECTION 1. (1) As used in this section, ‘Oregon small business**
4 **enterprise’ means a business to which the Oregon Business Develop-**
5 **ment Department issues a certification under subsection (2) of this**
6 **section.**

7 **“(2) The Oregon Business Development Department by rule shall**
8 **specify eligibility criteria for certifying a business as an Oregon small**
9 **business enterprise and shall issue a certification to a business that**
10 **qualifies as eligible. The eligibility criteria must, at a minimum,**
11 **specify:**

12 **“(a) The maximum number of persons the business may employ;**

13 **“(b) The maximum amount of revenue the business may generate;**

14 **“(c) The location in which the business may operate;**

15 **“(d) Other requirements that evaluate the operation of the business**
16 **as a small business; and**

17 **“(e) Other criteria that the department determines will aid in es-**
18 **tablishing eligibility.**

19 **“(3) The Oregon Department of Administrative Services shall es-**
20 **tablish a program for granting preferences to Oregon small business**
21 **enterprises in procurements the department conducts under ORS**

1 279A.140. The program, at a minimum, shall:

2 “(a) Develop guidelines for the department and for all state agencies
3 on behalf of which the department conducts procurements to use to
4 identify a range of public contracts that would be suitable for an
5 Oregon small business enterprise to undertake successfully;

6 “(b) Create effective strategies and methods for attracting, inviting,
7 encouraging and enabling Oregon small business enterprises to par-
8 ticipate in public procurement;

9 “(c) Suggest changes in statutes and administrative rules that
10 would enable the department to implement effective preferences for
11 Oregon small business enterprises in public procurement and that
12 would harmonize, streamline and otherwise improve the various small
13 business preferences programs that now exist within state public pro-
14 curement; and

15 “(d) Establish, for participation by Oregon small business enter-
16 prises in public procurement, targets and goals that result in a re-
17 duction or elimination of disparities identified in the 2023 State of
18 Oregon Disparity Study.

19 “(4) As part of the program described in subsection (3) of this sec-
20 tion, the department may:

21 “(a) Conduct studies, develop models, issue requests for informa-
22 tion, contact and interview or survey potential participants in a pref-
23 erences program for Oregon small business enterprises, consult
24 experts and otherwise use lawful means to carry out the purposes set
25 forth in subsection (3) of this section; and

26 “(b) State in solicitation materials for procurements the depart-
27 ment conducts that the department will consider bids or proposals
28 solely from Oregon small business enterprises.

29 “(5) The department may adopt rules necessary to implement and
30 administer the program described in subsection (3) of this section.

1 **“(6)(a) No later than December 31 of each year, the department**
2 **shall report to the Governor and, in the manner provided in ORS**
3 **192.245, to the Legislative Assembly:**

4 **“(A) The substance of the guidelines the department develops under**
5 **subsection (3) of this section, with examples of categories of public**
6 **contracts the department identifies as suitable for Oregon small busi-**
7 **ness enterprises and the range of contract values and scopes of work**
8 **the department considers appropriate for Oregon small business en-**
9 **terprises to undertake;**

10 **“(B) The number of public contracts the department awarded to**
11 **Oregon small business enterprises during the previous calendar year;**

12 **“(C) The number of Oregon small business enterprises to which the**
13 **department provides assistance under the program;**

14 **“(D) The type and size of the small businesses that participate in**
15 **the Oregon small business enterprise program;**

16 **“(E) The aggregated value of public contracts the department**
17 **awarded that had a connection to the program during the previous**
18 **calendar year;**

19 **“(F) Progress in developing the plan described in subsection (7) of**
20 **this section; and**

21 **“(G) Such other information about the program that the depart-**
22 **ment deems relevant to report.**

23 **“(b) The department shall collect and compile data necessary to**
24 **prepare and submit the report described in this subsection.**

25 **“(7) The department shall devise and implement a plan based on the**
26 **recommendations from the 2023 State of Oregon Disparity Study. To**
27 **the extent feasible, the department shall incorporate into the plan the**
28 **results and findings of studies, models, expert opinion, contacts with**
29 **potential participants and other methods available to the department**
30 **under subsections (3) and (4) of this section.**

1 **“SECTION 2. Section 1 of this 2025 Act is repealed on December 31,**
2 **2031.**

3 **“SECTION 3. This 2025 Act takes effect on the 91st day after the**
4 **date on which the 2025 regular session of the Eighty-third Legislative**
5 **Assembly adjourns sine die.”.**

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