

House Bill 3355

Sponsored by Representative BOWMAN

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Establishes Task Force on Public Procurement Modernization. Specifies membership of task force. Requires task force to thoroughly examine state's public procurement processes and practices, compare state's processes and practices with best processes and practices from other states, evaluate innovative methods and technologies for conducting public procurements and make recommendations for any needed changes to state's public procurement processes and practices that will improve public procurement system while adhering to state's policies with respect to sound and responsive public contracting system.

Sunsets December 31, 2024.

Takes effect on 91st day following adjournment sine die.

A BILL FOR AN ACT

1 Relating to public procurement modernization; and prescribing an effective date.

2 **Be It Enacted by the People of the State of Oregon:**

3 **SECTION 1. (1) The Task Force on Public Procurement Modernization is established.**

4 **(2) The task force consists of 28 members appointed as follows:**

5 **(a) The President of the Senate shall appoint one member from the majority caucus**
6 **within the Senate and one member from the minority caucus.**

7 **(b) The Speaker of the House of Representatives shall appoint one member from the**
8 **majority caucus within the House of Representatives and one member from the minority**
9 **caucus.**

10 **(c) The Governor shall appoint eight members as follows:**

11 **(A) The State Chief Procurement Officer;**

12 **(B) A representative of the Department of Transportation who has had responsibility for**
13 **conducting large procurements for the department;**

14 **(C) A representative of the Department of Education who has had responsibility for**
15 **conducting large procurements for the department;**

16 **(D) A representative from the Racial Justice Council;**

17 **(E) A representative of the Oregon Health Authority who has had responsibility for**
18 **conducting large procurements for the authority;**

19 **(F) A representative of a large contractor that has frequently entered into public con-**
20 **tracts with the state;**

21 **(G) A representative of a small contractor that has frequently entered into public con-**
22 **tracts with the state; and**

23 **(H) A representative of an entity that has entered into public contracts with the state**
24 **and that the Certification Office for Business Inclusion and Diversity has certified as a**
25 **minority-owned business, a woman-owned business, a business that a service-disabled vet-**
26 **eran owns or an emerging small business.**
27

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 (d) The Attorney General shall appoint an attorney who works in the Department of
2 Justice's Business Transactions section.

3 (e) The Director of the Oregon Department of Administrative Services shall appoint 15
4 members as follows:

5 (A) The State Chief Information Officer; and

6 (B) Fourteen other members who represent a mixture of state agencies, local govern-
7 ments and boards and commissions that can provide a wide-ranging perspective on public
8 procurement needs, practices, problems and challenges.

9 (3) The task force shall:

10 (a) Thoroughly examine the state's public procurement processes and practices, compare
11 the state's practices with best processes and practices from not fewer than 10 other states,
12 at least three of which have a demographic makeup similar to that of this state, and evaluate
13 innovative methods and technologies for conducting public procurements; and

14 (b) Make recommendations for any needed changes to the state's public procurement
15 processes and practices that will improve the public procurement system while adhering to
16 the policies set forth in ORS 279A.015.

17 (4) The task force may take testimony, consult experts and practitioners, make investi-
18 gations, evaluate business practices and technologies, conduct hearings and discussions and
19 otherwise undertake any activity necessary to carry out the tasks set forth in subsection (3)
20 of this section.

21 (5) A majority of the voting members of the task force constitutes a quorum for the
22 transaction of business.

23 (6) Official action by the task force requires the approval of a majority of the voting
24 members of the task force.

25 (7) The task force shall elect one of its members to serve as chairperson.

26 (8) If there is a vacancy for any cause, the appointing authority shall make an appoint-
27 ment to become immediately effective.

28 (9) The task force shall meet at times and places specified by the call of the chairperson
29 or of a majority of the voting members of the task force.

30 (10) The task force may adopt rules necessary for the operation of the task force.

31 (11) The task force shall submit a report in the manner provided by ORS 192.245, and
32 may include recommendations for legislation, to an interim committee of the Legislative
33 Assembly related to public procurement no later than September 15, 2024.

34 (12) The Oregon Department of Administrative Services shall provide staff support to the
35 task force.

36 (13) Members of the Legislative Assembly appointed to the task force are nonvoting
37 members of the task force and may act in an advisory capacity only.

38 (14) Members of the task force who are not members of the Legislative Assembly are not
39 entitled to compensation or reimbursement for expenses and serve as volunteers on the task
40 force.

41 (15) All agencies of state government, as defined in ORS 174.111, are directed to assist
42 the task force in the performance of the duties of the task force and, to the extent permitted
43 by laws relating to confidentiality, to furnish information and advice the members of the task
44 force consider necessary to perform their duties.

45 **SECTION 2.** Section 1 of this 2023 Act is repealed on December 31, 2024.

1 **SECTION 3.** This 2023 Act takes effect on the 91st day after the date on which the 2023
2 regular session of the Eighty-second Legislative Assembly adjourns sine die.
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