

2024 -- H 7792

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LC005352  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS -- MINORITY BUSINESS  
ENTERPRISE

Introduced By: Representatives Giraldo, Alzate, Stewart, Cruz, Potter, Morales, and Felix

Date Introduced: February 29, 2024

Referred To: House Labor

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 37-14.1-6 of the General Laws in Chapter 37-14.1 entitled "Minority  
2 Business Enterprise" is hereby amended to read as follows:

3           **37-14.1-6. Minority business enterprise participation.**

4           (a) Minority business enterprises shall be included in all procurements and construction  
5 projects under this chapter and shall be awarded a minimum of ~~fifteen percent (15%)~~ twenty (20%)  
6 percent of the dollar value of the entire procurement or project. ~~Of that fifteen percent (15%),~~  
7 ~~minority business enterprises owned and controlled by a minority owner, as defined in § 37-14.1-~~  
8 ~~3, shall be awarded a minimum of seven and one half percent (7.5%), and minority business~~  
9 ~~enterprises owned and controlled by a woman shall be awarded a minimum of seven and one half~~  
10 ~~percent (7.5%). Annually, by October 1, the department of administration shall submit a report to~~  
11 ~~the general assembly on the status of achieving the aforementioned participation requirements in~~  
12 ~~the most recent fiscal year. Of that twenty (20%) percent, minority business enterprises owned and~~  
13 ~~controlled by a minority owner, as defined in § 37-14.1-3, shall be awarded a minimum of ten~~  
14 ~~(10%) percent, and minority business enterprises owned and controlled by a woman shall also be~~  
15 ~~awarded a minimum of ten (10%) percent.~~ The director of the department of administration is  
16 further authorized to establish by rules and regulation the certification process and formulas for  
17 giving minority business enterprises a preference in contract and subcontract awards.

18           (b) Any minority business enterprise currently certified by the U.S. Small Business

1 Administration as an 8(a) firm governed by 13 C.F.R. part 124 shall be deemed to be certified by  
2 the department of administration as a minority business enterprise and shall only be required to  
3 submit evidence of federal certification of good standing.

4 (c) The provisions of this chapter shall not be waived, including, but not limited to, during  
5 a declared state of emergency.

6 (d) The state of Rhode Island will arrange for a disparity study to evaluate the need for the  
7 development of programs to enhance the participation in state contracts of business enterprises  
8 owned by women and minorities, to be repeated every five (5) years, beginning in fiscal year 2025.

9 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would increase the minimum required awarded to minority business enterprises  
2 from fifteen (15%) percent to twenty (20%) percent and of that, require a minimum of ten (10%)  
3 percent be awarded to minority owned businesses and a minimum of ten (10%) percent be awarded  
4 to women owned businesses.

5           This act would take effect upon passage.

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