

2024 -- S 2466

=====
LC004773
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

—————
A N A C T

RELATING TO PUBLIC PROPERTY -- MINORITY BUSINESS ENTERPRISE

Introduced By: Senators Cano, Acosta, Mack, Bissaillon, DiPalma, Britto, Quezada, Bell,
and Valverde

Date Introduced: February 12, 2024

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

16 (b) Any minority business enterprise currently certified by the U.S. Small Business
17 Administration as an 8(a) firm governed by 13 C.F.R. part 124 shall be deemed to be certified by
18 the department of administration as a minority business enterprise and shall only be required to
19 submit evidence of federal certification of good standing.

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

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

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

=====
LC004773
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO PUBLIC PROPERTY -- MINORITY BUSINESS ENTERPRISE

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

5 This act would take effect upon passage.

=====
LC004773
=====