

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS -- MINORITY BUSINESS ENTERPRISE

Introduced By: Representatives Giraldo, Cruz, Morales, Henries, Sanchez, Felix, and Potter

Date Introduced: February 21, 2023

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 ~~ten percent (10%)~~ twenty percent
6 (20%) of the dollar value of the entire procurement or project. Of that twenty percent (20%),
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 ten percent (10%), and minority business enterprises owned and
9 controlled by a woman shall also be awarded a minimum of ten percent (10%). The director of the
10 department of administration is further authorized to establish by rules and regulation the
11 certification process and formulas for giving minority business enterprises a preference in contract
12 and subcontract awards.

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

17 (c) The provisions of chapter 14.1 of title 37 shall not be waived, including, but not limited
18 to, during a declared state of emergency.

1 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 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.

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