

2022 -- H 7812

LC003441

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS - MINORITY BUSINESS ENTERPRISE
-- MINORITY BUSINESS ENTERPRISE PARTICIPATION

Introduced By: Representatives Williams, Giraldo, Felix, Vella-Wilkinson, and Morales

Date Introduced: March 03, 2022

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%)~~ fifty percent
6 (50%) of the dollar value of the entire procurement or project. Of the minimum requirement of fifty
7 percent (50%) awarded to minority business enterprises, a minimum of twenty-five percent (25%)
8 shall be awarded to business enterprises owned by persons of color and a minimum of twenty-five
9 percent (25%) shall be awarded to woman-owned business enterprises. Said minority business
10 enterprises must be owned by Rhode Island residents. The director of the department of
11 administration is further authorized to establish by rules and regulation the certification process and
12 formulas for giving minority business enterprises a preference in contract 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 (d) For the purposes of this section, "Rhode Island resident" means that an owner of the
2 minority business enterprise has had their primary place of business located in Rhode Island for at
3 least one year prior to applying for any minority business enterprise participation procurement or
4 construction project and has filed a Rhode Island tax return in that preceding year. Furthermore,
5 the business owner must have resided in Rhode Island for at least one year prior to applying for
6 any minority business enterprise participation procurement or construction project.

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

=====
LC003441
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO PUBLIC PROPERTY AND WORKS - MINORITY BUSINESS ENTERPRISE
-- MINORITY BUSINESS ENTERPRISE PARTICIPATION

1 This act would increase the amount of state contracts awarded to minority business
2 enterprises to at least fifty percent (50%) of the total value of the entire dollar value of the contract.
3 The act would also provide that out of that minimum, a minimum of twenty-five percent (25%)
4 would be awarded to businesses owned by persons of color, and twenty-five percent (25%) would
5 be awarded to businesses owned by women. The act would further provide that these businesses be
6 owned by Rhode Island residents.

7 This act would take effect upon passage.

=====
LC003441
=====