



Rep. Carol A. Sente

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1 AMENDMENT TO HOUSE BILL 395

2 AMENDMENT NO. _____. Amend House Bill 395 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Small
5 Business Contracts Act.

6 Section 5. Definitions. For the purposes of this Act, the
7 following terms shall have the following definitions:

8 "Department" means the Department of Commerce and Economic
9 Opportunity.

10 "Small business" means an independently owned and operated
11 business that has fewer than 50 full-time employees.

12 "State contract" means a State contract, funded
13 exclusively with State funds which are not subject to federal
14 reimbursement, whether competitively bid or negotiated, as
15 defined by the Department.

16 "State official or agency" means a department, officer,

1 board, commission, institution, or body politic or corporate of
2 the State.

3 Section 10. Award of State contracts.

4 (a) Not less than 10% of the total dollar amount of State
5 contracts, as defined by the Department, shall be established
6 as a goal to be awarded to small businesses.

7 (b) The percentage in subsection (a) relates to the total
8 dollar amount of State contracts during each State fiscal year,
9 calculated by examining independently each type of contract for
10 each State official or agency which lets such contracts.

11 Section 15. Compliance plans.

12 (a) Each State official or agency shall file with the
13 Department an annual compliance plan which shall outline the
14 goals of the State official or agency for contracting with
15 small businesses for the then current fiscal year, the manner
16 in which the official or agency intends to reach these goals,
17 and a timetable for reaching these goals. The Department shall
18 review and approve the plan of each State official or agency
19 and may reject any plan that does not comply with this Act or
20 any rules promulgated pursuant to this Act.

21 (b) Each State official or agency shall file with the
22 Department an annual report of its utilization of small
23 businesses during the preceding fiscal year including lapse
24 period spending and a mid-fiscal year report of its utilization

1 to date for the then current fiscal year. The reports shall
2 include a self-evaluation of the efforts of the State official
3 or agency to meet its goals under the Act.

4 Section 20. Annual report. The Department shall file no
5 later than March 1 of each year, an annual report that shall
6 detail the level of achievement toward the goals specified in
7 this Act over the 3 most recent fiscal years. The annual report
8 shall include, but need not be limited to, the following:

9 (1) a summary detailing State appropriations subject
10 to the goals, the actual goals specified, and the goals
11 attained by each State official or agency;

12 (2) a summary of the number of contracts awarded and
13 the average contract amount by each State official or
14 agency; and

15 (3) an analysis of the level of overall goal
16 achievement concerning purchases from small businesses.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law."