

Amendment No. 392

Senate Amendment to Senate Bill No. 255	(BDR 18-572)
Proposed by: Senate Committee on Revenue and Economic Development	
Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date		SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of **green bold underlining** is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.

NAS/HAC



Date: 4/15/2021

S.B. No. 255—Creates the Division of Supplier Diversity within the Office of Economic Development. (BDR 18-572)



SENATE BILL NO. 255—SENATOR NEAL

MARCH 16, 2021

Referred to Committee on Revenue and
Economic DevelopmentSUMMARY—Creates the Division of Supplier Diversity within the Office of
Economic Development. (BDR 18-572)FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to economic development; creating the Division of Supplier Diversity in the Office of Economic Development; requiring the Executive Director of the Office of Economic Development to appoint the Administrator of the Division; setting forth the duties of the Division; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law creates, within the Office of the Governor, the Office of Economic Development, which consists of the Division of Economic Development and the Division of Motion Pictures. (NRS 231.043) **Section 2** of this bill creates a Division of Supplier Diversity within the Office of Economic Development. **Section 1** of this bill requires the Division of Supplier Diversity to: (1) conduct outreach to minority-owned ~~small~~ businesses, women-owned ~~small~~ businesses, ~~and small~~ businesses owned by persons with a disability and local emerging small businesses to inform such businesses of contracting and procurement opportunities; (2) provide training and assistance to minority-owned ~~small~~ businesses, women-owned ~~small~~ businesses, ~~and small~~ businesses owned by persons with a disability and local emerging small businesses to assist such businesses in obtaining government contracts and participating in the state and local governmental procurement process; (3) develop and implement an online data dashboard to provide information pertaining to the awarding of government contracts and purchase orders; (4) submit an annual report to the Governor and Legislative Counsel Bureau relating to the online data dashboard; (5) establish a database of minority-owned ~~small~~ businesses, women-owned ~~small~~ businesses, ~~and small~~ businesses owned by persons with a disability and local emerging small businesses; (6) establish annual goals concerning the awarding of contracts to minority-owned ~~small~~ businesses, women-owned ~~small~~ businesses, ~~and small~~ businesses owned by persons with a disability and local emerging small businesses; (7) coordinate with existing diversity supplier programs implemented by other governmental entities or organizations within the State; (8) consolidate information contained in reports submitted to the Office of Economic Development concerning local emerging small businesses; (9) prepare a report regarding the policies and programs implemented by the Division; and (10) provide transparency into the state and local governmental procurement process. **Section 1** further requires all state and local governmental agencies to cooperate with the Division of Supplier Diversity.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 231 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The Executive Director shall appoint the Administrator of the Division of Supplier Diversity.*

2. *The Division of Supplier Diversity shall:*

(a) *Conduct outreach to minority-owned ~~small~~ businesses, women-owned ~~small~~ businesses, ~~and small~~ businesses owned by persons with a disability and local emerging small businesses to inform such businesses of both private and public sector contracting and procurement opportunities;*

(b) *Provide information, educational training and assistance to minority-owned ~~small~~ businesses, women-owned ~~small~~ businesses, ~~and small~~ businesses owned by persons with a disability and local emerging small businesses to assist such businesses in obtaining state and local government contracts ~~and~~ and participating in the state and local governmental procurement process. The educational training and assistance must include, without limitation, in-person or online training to help such businesses:*

(1) *Register as ~~vendors~~ suppliers and apply for state and local government purchasing contracts;*

(2) *Improve marketing strategies to increase procurement opportunities;*

and

(3) *Gain an understanding of any insurance or bonding requirements to participate in the government procurement process;*

(c) *Develop and implement an online data dashboard that provides for each fiscal year:*

(1) *The procurement thresholds for state and local governmental agencies;*

(2) ~~The actual dollar amount and procurement category of each contract awarded;~~

~~(3) The actual dollar amount and procurement category of each contract awarded to minority-owned small businesses, women-owned small businesses and small businesses owned by persons with a disability;~~

~~(4) The total dollar amount of all ~~contracts awarded;~~ purchases by state and local governmental agencies;~~

~~(5) (3) The total dollar amount of all ~~contracts awarded to~~ purchases by state and local governmental agencies from minority-owned ~~small~~ businesses, women-owned ~~small~~ businesses, ~~and small~~ businesses owned by persons with a disability ~~and~~ and local emerging small businesses;~~

~~(6) (4) The total dollar amount of all ~~contracts awarded to~~ purchases from minority-owned ~~small~~ businesses, women-owned ~~small~~ businesses, ~~and small~~ businesses owned by persons with a disability and local emerging small businesses by demographic;~~

~~(7) (5) The total dollar amount of all ~~contracts awarded~~ purchases by each state and local governmental agency;~~

~~(8) (6) The total dollar amount of all ~~contracts awarded to~~ purchases from minority-owned ~~small~~ businesses, women-owned ~~small~~ businesses, ~~and small~~ businesses owned by persons with a disability and local emerging small businesses by each state and local governmental agency;~~

~~(9) (7) The total number of contracts or purchase orders awarded ~~and~~ by state and local governmental agencies; and~~

~~(10)~~ (8) The total number of contracts or purchase orders awarded by state and local governmental agencies to minority-owned ~~small~~ businesses, women-owned ~~small~~ businesses, ~~and small~~ businesses owned by persons with a disability ~~and~~ and local emerging small businesses;

(d) Submit an annual report of the information described in paragraph (c) to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the Legislature or, if the Legislature is not in session, to the Legislative Commission;

(e) Establish a centralized database of minority-owned ~~small~~ businesses, women-owned ~~small~~ businesses, ~~and small~~ businesses owned by persons with a disability ~~and~~ and local emerging small businesses which can be shared with state and local governmental agencies;

(f) Establish annual goals concerning the awarding of contracts to minority-owned ~~small~~ businesses, women-owned ~~small~~ businesses, ~~and small~~ businesses owned by persons with a disability ~~and~~ and local emerging small businesses;

(g) Coordinate the activities and goals of the Division with those of existing diversity supplier programs implemented by other governmental entities or organizations within the State, including, without limitation, the Nevada System of Higher Education, the Department of Transportation, the Office of Economic Development, and the Regional Business Development Advisory Council for Clark County;

(h) Consolidate information contained in reports submitted to the Office of Economic Development pursuant to NRS 332.201 and 333.177 concerning local emerging small businesses;

(i) Prepare, in cooperation with the Regional Business Development Advisory Council for Clark County, a written report regarding the policies and programs implemented by the Division of Supplier Diversity, including, without limitation, any data or information submitted by state and local governmental agencies to the Office of Economic Development concerning local ~~and~~ emerging small businesses, minority-owned ~~small~~ businesses, women-owned ~~small~~ businesses or ~~small~~ businesses owned by persons with a disability; and

(j) Provide transparency into the state and local governmental procurement process.

3. All state and local governmental agencies shall cooperate with the Division of Supplier Diversity in carrying out the provisions of this section.

4. As used in this section, "local emerging small business" has the meaning ascribed to it in NRS 231.1402.

Sec. 2. NRS 231.043 is hereby amended to read as follows:

231.043 1. There is hereby created within the Office of the Governor the Office of Economic Development, consisting of:

(a) A Division of Economic Development; ~~and~~

(b) A Division of Motion Pictures ~~and~~; and

(c) A Division of Supplier Diversity.

2. The Governor shall propose a budget for the Office.

3. Employees of the Office are not in the classified or unclassified service of this State and serve at the pleasure of the Executive Director.

Sec. 3. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 4. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 5. This act becomes effective on July 1, 2021.