

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 930 Session of 2015

INTRODUCED BY STEFANO, BAKER, WHITE, RAFFERTY, MENSCH, VULAKOVICH, VOGEL, COSTA, WILLIAMS, WILEY, TEPLITZ, WARD, ALLOWAY, BROWNE AND SCHWANK, JUNE 26, 2015

SENATOR FOLMER, STATE GOVERNMENT, AS AMENDED, MARCH 15, 2016

AN ACT

1 Amending Title 62 (Procurement) of the Pennsylvania Consolidated
2 Statutes, providing for certification of woman-owned
3 business, minority owned business or veteran owned business. <--
4 DIVERSE AND DISADVANTAGED BUSINESSES. <--

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Title 62 of the Pennsylvania Consolidated
8 Statutes is amended by adding a chapter to read:

9 CHAPTER 22 <--

10 CERTIFICATION

11 Sec.

12 2201. (Reserved).

13 2202. Woman owned business, minority owned business or veteran-
14 owned business.

15 § 2201. (Reserved).

16 § 2202. Woman owned business, minority owned business or
17 veteran owned business.

18 A woman owned business, minority owned business or veteran-

~~1 owned business in this Commonwealth may apply to the department  
2 for a certification that the business is recognized by the  
3 Commonwealth as a woman owned business, minority owned business  
4 or veteran owned business. The department may promulgate  
5 regulations governing the certification under this section.~~

~~6 Section 2. This act shall take effect in 60 days.~~

7 CHAPTER 22

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8 DIVERSE AND DISADVANTAGED BUSINESSES

9 SEC.

10 2201. DEFINITIONS.

11 2202. WOMAN-OWNED BUSINESS, MINORITY-OWNED BUSINESS OR VETERAN-  
12 OWNED BUSINESS.

13 § 2201. DEFINITIONS.

14 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS CHAPTER  
15 SHALL HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
16 CONTEXT CLEARLY INDICATES OTHERWISE:

17 "DIVERSE AND DISADVANTAGED BUSINESSES." A WOMAN-OWNED  
18 BUSINESS, A MINORITY-OWNED BUSINESS OR A VETERAN-OWNED BUSINESS.

19 "MINORITY-OWNED BUSINESS." A FOR-PROFIT BUSINESS WHICH IS AT  
20 LEAST 51% OWNED AND CONTROLLED BY ONE OR MORE INDIVIDUALS WHO  
21 ARE AFRICAN AMERICANS, HISPANIC AMERICANS, NATIVE AMERICANS,  
22 ASIAN AMERICANS, ALASKANS OR PACIFIC ISLANDERS. THE TERM  
23 INCLUDES A CORPORATION IN WHICH AT LEAST 51% OF THE STOCK IS  
24 OWNED BY ONE OR MORE INDIVIDUALS WHO ARE AFRICAN AMERICANS,  
25 HISPANIC AMERICANS, NATIVE AMERICANS, ASIAN AMERICANS, ALASKANS  
26 OR PACIFIC ISLANDERS.

27 "PENNSYLVANIA HOME STATE-CERTIFIED." CERTIFICATION AS  
28 DETERMINED BY THE DEPARTMENT UNDER SECTION 2202(A) (RELATING TO  
29 WOMAN-OWNED BUSINESS, MINORITY-OWNED BUSINESS OR VETERAN-OWNED  
30 BUSINESS).

1 "VETERAN." SHALL HAVE THE MEANING GIVEN IN 51 PA.C.S. § 9601  
2 (RELATING TO DEFINITIONS).

3 "VETERAN-OWNED BUSINESS." A FOR-PROFIT BUSINESS THAT IS AT  
4 LEAST 51% OWNED AND CONTROLLED BY ONE OR MORE VETERANS. THE TERM  
5 INCLUDES A CORPORATION IN WHICH AT LEAST 51% OF THE STOCK IS  
6 OWNED BY ONE OR MORE VETERANS.

7 "WOMAN-OWNED BUSINESS." A FOR-PROFIT BUSINESS WHICH IS AT  
8 LEAST 51% OWNED AND CONTROLLED BY ONE OR MORE WOMEN. THE TERM  
9 INCLUDES A CORPORATION IN WHICH AT LEAST 51% OF THE STOCK IS  
10 OWNED BY ONE OR MORE WOMEN.

11 § 2202. WOMAN-OWNED BUSINESS, MINORITY-OWNED BUSINESS OR  
12 VETERAN-OWNED BUSINESS.

13 (A) DEPARTMENT VERIFICATION.--THE FOLLOWING SHALL APPLY:

14 (1) THE DEPARTMENT SHALL ESTABLISH A PROCESS TO VERIFY A  
15 DIVERSE OR DISADVANTAGED BUSINESS AS PENNSYLVANIA HOME STATE-  
16 CERTIFIED FOR THE PURPOSE OF OTHER STATE OR NATIONAL  
17 DISADVANTAGED BUSINESS PROGRAMS.

18 (2) THE DEPARTMENT SHALL VERIFY A BUSINESS THAT HAS BEEN  
19 CERTIFIED AS A DIVERSE OR DISADVANTAGED BUSINESS BY A THIRD-  
20 PARTY ORGANIZATION RECOGNIZED BY THE DEPARTMENT.

21 (B) NOTICE.--A BUSINESS VERIFIED UNDER SUBSECTION (A) (2) MAY  
22 REQUEST THE DEPARTMENT TO PROVIDE NOTICE OF THE BUSINESS STATUS  
23 UNDER THIS CHAPTER.

24 (C) LISTS.--THE DEPARTMENT SHALL COMPILE, MAINTAIN AND MAKE  
25 AVAILABLE SOURCE LISTS OF BUSINESSES VERIFIED BY THE DEPARTMENT  
26 AS A DIVERSE OR DISADVANTAGED BUSINESS FOR THE PURPOSE OF  
27 ENCOURAGING PROCUREMENT FROM THOSE BUSINESSES.

28 (D) REGULATIONS.--THE DEPARTMENT MAY PROMULGATE REGULATIONS  
29 TO ADMINISTER THIS SECTION.

30 SECTION 2. THIS ACT SHALL TAKE EFFECT IN 120 DAYS.