

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1653 Session of 2015

INTRODUCED BY OBERLANDER, SNYDER, YOUNGBLOOD, READSHAW, KINSEY, DRISCOLL, BISHOP, BIZZARRO, CORBIN, THOMAS, McNEILL, MILLARD, PICKETT, O'BRIEN, NEILSON, BARRAR, KLUNK, MURT, ORTITAY, WATSON, DAVIS, HARHART, DEAN, MAHONEY, NEUMAN, NESBIT, P. DALEY, DIAMOND, COHEN, CALTAGIRONE, FARINA, WARD, KIM, D. COSTA, PHILLIPS-HILL, JAMES, HARHAI, ROZZI, KORTZ, SCHLOSSBERG, GAINNEY, ACOSTA AND BULLOCK, OCTOBER 21, 2015

AS REPORTED FROM COMMITTEE ON VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, HOUSE OF REPRESENTATIVES, AS AMENDED, DECEMBER 9, 2015

AN ACT

1 Amending Title 62 (Procurement) of the Pennsylvania Consolidated
2 Statutes, providing for recognized entities.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

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

7 CHAPTER 22

8 RECOGNIZED ENTITIES

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

1 shall have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Minority-owned business." A for-profit business which is at
4 least 51% owned and controlled by one or more individuals who
5 are African Americans, Hispanic Americans, Native Americans,
6 Asian Americans, Alaskans or Pacific Islanders. The term
7 includes a corporation in which at least 51% of the stock is
8 owned by one or more individuals who are African Americans,
9 Hispanic Americans, Native Americans, Asian Americans, Alaskans
10 or Pacific Islanders.

11 "Recognized entity." A business that is formally recognized
12 by the department as being one or more of the following:

13 (1) A minority-owned business.

14 (2) A woman-owned business.

15 (3) A veteran-owned business.

16 "Veteran." An individual who served on active duty in the <--
17 United States Armed Forces, including any of the following:

18 (1) A reservist or member of the National Guard who was
19 discharged or released from the service under honorable
20 conditions.

21 (2) A reservist or member of the National Guard who
22 completed an initial term of enlistment or qualifying period
23 of service.

24 (3) A reservist or member of the National Guard who was
25 disabled in the line of duty during training. SHALL HAVE THE <--
26 MEANING GIVEN IN 51 PA.C.S. § 9601 (RELATING TO DEFINITIONS).

27 "Veteran owned business." A for profit business which is at <--
28 least 51% owned and controlled by one or more veterans. The term
29 includes a corporation in which at least 51% of the stock is
30 owned by one or more veterans.

1 "VETERAN-OWNED BUSINESS." SHALL HAVE THE MEANING GIVEN TO <--
2 "VETERAN-OWNED SMALL BUSINESS" IN 51 PA.C.S. § 9601.
3 "Woman-owned business." A for-profit business which is at
4 least 51% owned and controlled by one or more women. The term
5 includes a corporation in which at least 51% of the stock is
6 owned by one or more women.
7 § 2202. Woman-owned business, minority-owned business or
8 veteran-owned business.
9 (a) Formal recognition.--The following shall apply:
10 (1) The department shall establish a process by which a
11 business in this Commonwealth may become formally recognized
12 by the department as one or more of the following:
13 (i) A woman-owned business.
14 (ii) A minority-owned business.
15 (iii) A veteran-owned business, AS PROVIDED FOR <--
16 UNDER 51 PA.C.S. CH. 96 (RELATING TO VETERAN-OWNED SMALL
17 BUSINESSES).
18 (2) The department shall formally recognize a business
19 that has been formally recognized as a woman-owned business,
20 minority-owned business or veteran-owned business by a third-
21 party organization, including, BUT NOT LIMITED TO, the <--
22 following:
23 (i) The National Minority Supplier Development
24 Council.
25 (ii) The United States Department of Transportation,
26 Office of Small and Disadvantaged Business Utilization's
27 Unified Certification Program.
28 (iii) The Pennsylvania Unified Certification
29 Program.
30 (iv) The United States Small Business

1 Administration's 8(a) Business Development Program.

2 (v) The United States Department of Veterans
3 Affairs, Office of Small and Disadvantaged Business
4 Utilization's Vets First Verification Program.

5 (vi) The Woman's Business Enterprise National
6 Council.

7 (b) Notice.--A recognized entity may request the department
8 to provide notice of the entity's recognized status.

9 (c) Lists.--The department shall compile, maintain and make
10 available source lists of businesses formally recognized by the
11 department as a woman-owned business, minority-owned business or
12 veteran-owned business, AS PROVIDED FOR UNDER 51 PA.C.S. CH. 96, <--
13 for the purpose of encouraging procurement from those
14 businesses.

15 (d) Regulations.--The department may promulgate regulations
16 to administer this section.

17 Section 2. This act shall take effect in 60 days.