

## Session 110 - (1993-1994)

### S 1405 General Bill, By Jackson

A Bill to amend the Code of Laws of South Carolina, 1976, by adding Section 11-11-145 so as to provide that the State Budget and Control Board shall establish goals which each state agency and department are encouraged to meet in terms of making procurements from minority business enterprises (MBE's) and Women's Business Enterprises (WBE's) and to provide for an increase in the appropriation an agency or department receives in the annual General Appropriations Act if it meets or exceeds the goals established; to amend Section 11-35-1520, as amended, relating to competitive sealed bidding under the Consolidated Procurement Code, so as to provide that MBE's and WBE's shall receive a five percent "disadvantaged" preference in these bids; to amend Section 11-35-1550, as amended, relating to small purchase procurement procedures, so as to provide that the Budget and Control Board shall establish procedures whereby small purchases not exceeding one thousand five hundred dollars shall be procured from MBE's and WBE's on a recurring basis where the disadvantaged vendor can supply the needed items; to amend Section 11-35-3020, as amended, relating to construction procurement procedures, so as to require prime contractors submitting a bid to include a plan for utilization of MBE's and WBE's as subcontractors on that contract or procurement and to provide that any bid which does not contain such a utilization plan may not be accepted by the procuring agency; and to amend Article 21, Chapter 35 of Title 11 of the 1976 Code, relating to assistance to minority businesses under the Consolidated Procurement Code, so as to define the terms "minority business enterprise" (MBE's) and "women's business enterprise" (WBE's), and further provide for procurement procedures applicable to MBE's and WBE's, to provide that the total dollar value of such procurements shall be separately stated as to procurements by MBE's and WBE's, to increase the income tax credit that firms with state contracts that subcontract with minority or female firms are entitled to receive, to provide that any firm certified by the Federal Small Business Administration under Section 8(A) of the Small Business Act as an ethnic or female minority firm automatically shall be certified by the State Small Business and Minority Business Assistance Office as a minority or women's business enterprise respectively, and to require the State Small and Minority Business Assistance Office to complete a statewide disparity study to determine the reasons why MBE's and WBE's are not able to more fully participate in the State's procurement process.

**05/09/94 Senate Introduced and read first time SJ-3**

**05/09/94 Senate Referred to Committee on Judiciary SJ-3**