

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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District of
Columbia
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To establish the Minority and Women-owned Business Assessment Program within the Department of Small and Local Business Development to analyze the current state of businesses owned or controlled by minorities or women receiving contracts under the Small, Local and Disadvantaged Business Enterprise Development and Assistance Act of 2005 to survey the number of minority and women-owned or controlled businesses being awarded contracts in the current procurement system, and to complete an assessment of the current need for increasing those businesses' participation in competing for and winning government contracts.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Minority and Women-Owned Business Assessment Act of 2008".

Sec. 2. Establishment of the Minority and Women-Owned Business Assessment Program.

(a) There is established the Minority and Women-Owned Business Assessment Program ("Program") within the Department of Small and Local Business Development ("Department"). The Program shall:

(1) Analyze the current state of businesses owned or controlled by minorities or women qualifying as Certified Business Enterprises ("CBE") as that term is defined in the Small, Local and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective March 2, 2007 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), including counting the number of businesses that have applied for CBE certification and the number that have been certified as CBEs since the inception of the CBE program;

(2) Record and track the number of businesses owned or controlled by minorities or women that have been awarded government contracts under the procurement process utilized by the District; and

(3) Assess the findings and investigate and recommend ways to encourage businesses owned or controlled by minorities or women to compete in the procurement process utilized by the District.

(b) The Department shall submit the findings and recommendations of the Program to the Chairman of the Council's Committee on Economic Development in the form of a report or

reports. Specific steps for implementing the recommendations shall accompany the report or reports.

(c) For the purposes of this act, the term “minority” shall include Asian, Pacific Islander, African American or Black, Native American or Native Hawaiian, and Hispanic or Latino.

Sec. 3. Rules.

Within 90 days of the effective date of this act, the Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this act. The proposed rules shall be submitted by the Mayor to the Council for a 45-day period of review, excluding weekends, holidays, and days of Council recess. If the Council does not approve or disapprove the rules within the 45-day review period, in whole or in part, by resolution, the rules shall be deemed approved.

Sec. 4. Fiscal impact statement.

The Council adopts the January 7, 2008 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia