

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Diana DiZoglio

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to expanding equal opportunity in state contracting for LGBTQ+ businesses.

PETITION OF:

NAME:

Diana DiZoglio

DISTRICT/ADDRESS:

First Essex

SENATE No.

By Ms. DiZoglio, a petition (accompanied by bill) (subject to Joint Rule 12) of Diana DiZoglio for legislation relative to expanding equal opportunity in state contracting for LGBTQ+ businesses. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to expanding equal opportunity in state contracting for LGBTQ+ businesses.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 58 of chapter 7 of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by striking out the definition of “Diverse business” and
3 inserting in place thereof the following definitions:-

4 “Composite diverse business enterprise” or “CDBE”, for the purpose of receipt of
5 services from SDO, means a business enterprise that is both owned and controlled by a
6 combination of persons specified in the definitions of minority business enterprise, women
7 business enterprise, veteran business enterprise, service-disabled veteran-owned business
8 enterprise, disability-owned business enterprise or lesbian, gay, bisexual and transgender
9 business enterprise, and any other certification category as established by statute or executive
10 order, who have invested in an ongoing business free of conversion rights, which does not
11 otherwise meet such definitions.

12 “Diverse business”, a minority business enterprise, women business enterprise, veteran
13 business enterprise, service-disabled veteran-owned business enterprise, disability-owned
14 business enterprise, lesbian, gay, bisexual and transgender business enterprise or composite
15 diverse business enterprise, and any other certification category as established by statute or
16 executive order.

17 SECTION 2. Section 61 of said chapter 7 of the General Laws, as so appearing, is hereby
18 amended by striking out subsection (a) and inserting in place thereof the following subsection:-

19 Section 61. (a) SDO shall adopt regulations and policies for the establishment and
20 management of the office’s diverse business certification process, including regulations and
21 policies governing the streamlining, approval, denial or revocation of any such certification and
22 for cross-certification by other recognized certification organizations of diverse businesses. Said
23 regulations and policies shall include, but not be limited to, a process for direct certification by
24 SDO for each category of diverse business regardless of the existence of other recognized
25 certification organizations of diverse businesses, and a universal process across categories of
26 diverse businesses to reduce redundancies in the application for certification and to eliminate
27 duplication of associated certification fees for business enterprises qualifying under more than
28 one category of diverse business.

29 SDO shall develop and manage a small business certification process consistent with
30 section 22O.

31 The SDO may also provide other procurement-related business certification services for
32 certification categories and programs managed by other agencies if it would result in greater
33 efficiencies to the commonwealth and the businesses applying for certification.

34 SECTION 3. Said section 61 of said chapter 7 of the General Laws, as so appearing, is
35 hereby further amended by inserting after subsection (u) the following subsection:

36 (v) The SDO shall, every 2 years, establish goals for participation of lesbian, gay,
37 bisexual and transgender businesses in all areas of state procurement contracting, including
38 contracts for public construction, design services and commodities and service. In calculating
39 such goals, the SDO shall base the determination on an understanding of the pool of lesbian, gay,
40 bisexual and transgender businesses available for participation, and shall consult with the
41 Massachusetts LGBT Chamber of Commerce or other appropriate state agencies or organizations
42 in obtaining such understanding. The SDO shall provide assistance to the secretariats in
43 determining opportunities for contracting with lesbian, gay, bisexual and transgender businesses
44 to meet the participation goals set forth in this subsection, including contractors and
45 subcontractors providing goods and services under multi-year contracts or grants funded by
46 agencies within the executive offices.

47 The SDO shall include in the annual report set forth in subsection (l) an update
48 concerning the progress made toward meeting the participation goals set forth in this subsection.

49 SECTION 4. The SDO shall establish an initial goal for participation of lesbian, gay,
50 bisexual and transgender businesses in all areas of state procurement contracting, including
51 contracts for public construction, design services and commodities and service, of not less than
52 3% of the dollar value of awarded contracts or grants funded by agencies within the executive
53 offices for fiscal year 2023.