

**SENATE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Liz Miranda*

*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 transparency and accountability in procurement.

PETITION OF:

NAME:

*Liz Miranda*

DISTRICT/ADDRESS:

*Second Suffolk*

**SENATE . . . . . No.**

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[Pin Slip]

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**  
\_\_\_\_\_

An Act relative to transparency and accountability in procurement.

*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. Whereas the Commonwealth of Massachusetts, pursuant to section 57 of  
2 chapter 7 of the Massachusetts General Laws, has established a policy to foster an inclusive  
3 marketplace that offers competitive opportunity for businesses as diverse as the people of the  
4 commonwealth; and whereas the Commonwealth of Massachusetts pursuant to section 58A of  
5 chapter 7 of the Massachusetts General Laws, has established a Supplier Diversity Office or  
6 “SDO” to implement the supplier diversity objectives of the commonwealth, or more  
7 specifically, to effect the purposes of sections 57 to 61, inclusive, of said chapter 7; and whereas  
8 the Commonwealth of Massachusetts, acting through agencies of the executive branch, enters  
9 into contracts with businesses to facilitate the delivery of services and/or activities for the  
10 commercial and/or personal benefit of residents of the Commonwealth; it is the intention of the  
11 general court to take meaningful actions to better understand the inclusiveness of the  
12 Massachusetts marketplace as it relates to businesses as diverse as the people of the  
13 commonwealth. To achieve the purposes as stated in this section and sections 2 and 3, inclusive,  
14 this Act shall be known as the Transparency and Accountability in Procurement Act.

15 SECTION 2. As used in sections 1 to 3, inclusive, of this act, the following words shall  
16 have the following meanings, unless a contrary intent is clearly indicated: -

17 "Business", means a corporation, sole proprietorship, partnership, limited liability  
18 company, or any other organization formed for the purpose of engaging in a commercial  
19 function; provided that said corporation, sole proprietorship, partnership, limited liability  
20 company, or other organization has annual revenue equal to or greater than one hundred million  
21 dollars.

22 "Black-owned Business", means a business that is owned and controlled by one or more  
23 Black persons or African Americans.

24 "Minority Business Enterprise" or "MBE", means a business certified pursuant to section  
25 61 of chapter 7 of the General Laws owned and controlled by one or more socially or  
26 economically disadvantaged persons. Such disadvantage may arise from cultural, racial, chronic  
27 economic circumstances or background or other similar causes. For purposes of this Act, such  
28 persons shall include Blacks or African Americans and Western Hemisphere Hispanics.

29 "Certified business enterprises" means minority business enterprises and woman business  
30 enterprises, certified pursuant to section 61 of chapter 7 of the General laws, and as both terms  
31 are defined in this section.

32 "Non-certified businesses" shall mean Black-owned businesses, Western Hemisphere  
33 Hispanic-owned businesses, and "Women-owned" businesses.

34 "Women business enterprise" or "WBE", means a business certified pursuant to section  
35 61 of chapter 7 of the General laws that is both owned and controlled, by one or more women  
36 who have invested in an ongoing business free of conversion rights.

37 "Women-owned Business", means a business that is both owned and controlled by one or  
38 more women.

39 "Non-profit corporation" means all corporations organized for a purpose consistent with  
40 section 4 of chapter 180 of the General Laws and which has annual revenue equal to or greater  
41 than one hundred million dollars.

42 "State authority" a body politic and corporate constituted as a public instrumentality of  
43 the commonwealth and established by an act of the General Court to serve an essential  
44 governmental function and that has annual revenue equal to or greater than one hundred million  
45 dollars; provided, however, that state authority shall not include: (1) a state agency; (2) a city or  
46 town; (3) a body controlled by a city or town; or (4) a separate body politic for which the  
47 governing body is elected, in whole or in part, by the general public or by representatives of  
48 member cities or towns.

49 "Hospital", means a hospital licensed or certified by the Department of Public Health  
50 pursuant to section 51 of Chapter 111 or other applicable law, with an emergency department,  
51 and the teaching hospital of the University of Massachusetts Medical School.

52 "Institution of higher education" means an educational institution domiciled in the  
53 Commonwealth and that (1) admits as regular students only persons having a certificate of  
54 graduation from a school providing secondary education, or the recognized equivalent of such a  
55 certificate, or persons who meet the requirements of section 1091(d) of 20 United States Code;

56 (2) is legally authorized to provide a program of education beyond secondary education; (3)  
57 provides an educational program for which the institution awards a bachelor's degree or provides  
58 not less than a 2-year program that is acceptable for full credit toward such a degree, or awards a  
59 degree that is acceptable for admission to a graduate or professional degree program, subject to  
60 review and approval by the Secretary; (4) is a public or nonprofit institution; (5) is accredited by  
61 a nationally recognized accrediting agency or association, or if not so accredited, is an institution  
62 that has been granted preaccreditation status by such an agency or association that has been  
63 recognized by the United States Secretary of Education for the granting of preaccreditation  
64 status, and said Secretary has determined that there is satisfactory assurance that the institution  
65 will meet the accreditation standards of such an agency or association within a reasonable time;  
66 and (6) has annual revenue equal to or greater than one hundred million dollars.

67 "Museum", an institution or entity located in the commonwealth that: (i) is operated by a  
68 nonprofit corporation, trust, association, public agency, or educational institution; (ii) is operated  
69 primarily for educational, scientific, historic preservation, cultural or aesthetic purposes; (iii)  
70 owns, borrows, cares for, exhibits, studies, archives or catalogs property; and (iv) has annual  
71 revenue equal to or greater than one hundred million dollars.

72 "SDO" or "Supplier Diversity Office", the commonwealth's supplier diversity office as  
73 designated by section 58A and section 61 of chapter 7 of the General Laws. The Supplier  
74 Diversity Office is the successor agency to the state office of minority and women business  
75 assistance.

76 SECTION 3. The SDO shall promulgate regulations for the annual collection and  
77 reporting of procurement activity as such activity relates to certified business enterprises and  
78 non-certified businesses by businesses, nonprofit corporations, and state authorities.

79 In addition to annually collecting and reporting such procurement activity, the SDO shall  
80 submit, by April 30 of each year, an annual report that details by business, museum, institution of  
81 higher education, hospital, nonprofit corporation, and state authority each entity's procurement  
82 activity with certified business enterprises and non-certified business enterprises. Said annual  
83 report shall be submitted to the governor, lieutenant governor, and the general court. Said annual  
84 report shall also be made available to the public via the SDO's website