

SECOND REGULAR SESSION

# SENATE BILL NO. 487

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WRIGHT-JONES.

Pre-filed December 1, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

4410S.011

## AN ACT

To amend chapter 37, RSMo, by adding thereto one new section relating to minority and women's business enterprises, with an expiration date.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 37, RSMo, is amended by adding thereto one new section, to be known as section 37.760, to read as follows:

**37.760. 1. As used in this section, the following terms shall mean:**

(1) "Commissioner", the commissioner of administration appointed under section 37.010;

(2) "Committee", the "Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee";

(3) "Department", the office of administration;

(4) "Minority business enterprise", the same meaning as such term is defined in section 37.020;

(5) "Women's business enterprise", the same meaning as such term is defined in section 37.020.

2. There is hereby established the "Minority Business Enterprise and Women's Business Enterprise Oversight Review Committee". The committee shall consist of seven members. The governor shall, with the advice and consent of the senate, appoint four members to the committee, two who shall represent the interests of the minority community in this state, and two who shall represent the interests of business owners in this state. The speaker of the house of representatives shall appoint one member of the committee from the house of representatives. The president pro tem of the senate shall appoint one member from the senate. The commissioner of administration shall be an ex officio member of the committee.

22           **3. Members of the committee shall not be compensated for their**  
23 **services, but they shall be reimbursed for actual and necessary**  
24 **expenses incurred in the performance of their duties. The members of**  
25 **the committee shall elect one member as chairperson and one member**  
26 **as vice chairperson who shall serve as chairperson in the absence of**  
27 **the chairperson. Each member appointed by the governor, speaker of**  
28 **the house of representatives, or the president pro tem of the senate**  
29 **shall serve for a term of two years and may be reappointed by the**  
30 **governor, speaker of the house of representatives, or the president pro**  
31 **tem of the senate for an additional term of two years. The department**  
32 **shall provide staff to the committee and aid it in the performance of its**  
33 **duties.**

34           **4. The commissioner shall cause to have a disparity study**  
35 **conducted that measures the participation of minority and women's**  
36 **business enterprises in state contracts for supplies, services, and**  
37 **construction that shall be completed and delivered to the committee by**  
38 **December 31, 2013.**

39           **5. The committee shall review the results of the disparity study**  
40 **conducted pursuant to subsection 4 of this section and deliver**  
41 **recommendations to the office of equal opportunity within the**  
42 **department that shall subsequently be implemented by such office. The**  
43 **review and recommendations shall be completed and delivered by**  
44 **March 31, 2014.**

45           **6. The department shall promulgate rules necessary for the**  
46 **enforcement of such requirements and necessary to aid the committee**  
47 **in performing its duties under section 37.766. Any rule or portion of a**  
48 **rule, as that term is defined in section 536.010, that is created under**  
49 **the authority delegated in this section shall become effective only if it**  
50 **complies with and is subject to all of the provisions of chapter 536 and,**  
51 **if applicable, section 536.028. This section and chapter 536 are**  
52 **nonseverable and if any of the powers vested with the general assembly**  
53 **pursuant to chapter 536 to review, to delay the effective date, or to**  
54 **disapprove and annul a rule are subsequently held unconstitutional,**  
55 **then the grant of rulemaking authority and any rule proposed or**  
56 **adopted after August 28, 2012, shall be invalid and void.**

57           **7. The provisions of this section shall expire on January 1, 2015.**