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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 3079

03/13/2014 Authored by Hansen, Freiberg, Mariani, Newton and Kahn
The bill was read for the first time and referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to state government; including nonprofit organizations under definition
1.3 of vendor and designation of procurements from small businesses; amending
1.4 Minnesota Statutes 2012, sections 16C.02, subdivision 21; 16C.16, subdivision 5.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 16C.02, subdivision 21, is amended to read:

1.7 Subd. 21. **Vendor.** "Vendor" means a business or nonprofit organization, including
1.8 a construction contractor or a natural person, and includes both if the natural person is
1.9 engaged in a business or nonprofit organization.

1.10 Sec. 2. Minnesota Statutes 2012, section 16C.16, subdivision 5, is amended to read:

1.11 Subd. 5. **Designation of targeted groups.** (a) The commissioner of administration
1.12 shall periodically designate businesses that are majority owned and operated by women,
1.13 persons with a substantial physical disability, or specific minorities as targeted group
1.14 businesses within purchasing categories as determined by the commissioner. A group
1.15 may be targeted within a purchasing category if the commissioner determines there is a
1.16 statistical disparity between the percentage of purchasing from businesses owned by
1.17 group members and the representation of businesses owned by group members among all
1.18 businesses in the state in the purchasing category.

1.19 (b) In addition to designations under paragraph (a), an individual business may be
1.20 included as a targeted group business if the commissioner determines that inclusion is
1.21 necessary to remedy discrimination against the owner based on race, gender, or disability
1.22 in attempting to operate a business that would provide goods or services to public agencies.

2.1 (c) The designations of purchasing categories and businesses under paragraphs
2.2 (a) and (b) are not rules for purposes of chapter 14, and are not subject to rulemaking
2.3 procedures of that chapter.

2.4 (d) The commissioner of administration shall also apply the designations under
2.5 paragraph (a) to nonprofit organizations that would provide goods or services to public
2.6 agencies.