

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 692 of the Regular Session

1 State of Arkansas  
2 86th General Assembly  
3 Regular Session, 2007  
4

As Engrossed: H3/16/07

**A Bill**

HOUSE BILL 2775

5 By: Representative Rainey  
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7

**For An Act To Be Entitled**

9 AN ACT TO AMEND THE MINORITY BUSINESS ENTERPRISE  
10 LEGISLATION TO ENSURE THAT MINORITY BUSINESSES  
11 THAT QUALIFY FOR SERVICES ARE OWNED BY A  
12 MINORITY; TO MAKE MINOR CHANGES TO DEFINITIONS;  
13 AND FOR OTHER PURPOSES.  
14

**Subtitle**

15 AN ACT TO ENSURE THAT MINORITY  
16 BUSINESSES ARE OWNED BY A MINORITY.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 *SECTION 1. Arkansas Code § 15-4-311 is amended to read as follows:*  
23 *15-4-311. Title.*

24 *This section and ~~§§ 15-4-312 - 15-4-319~~ §§15-4-312 - 15-4-320 shall be*  
25 *known and may be cited as the "Minority Business Economic Development Act".*  
26

27 *SECTION 2. Arkansas Code § 15-4-313 is amended to read as follows:*  
28 *15-4-313. Definitions.*

29 *As used in this section and §§ 15-4-311, 15-4-312, and 15-4-314 - 15-4-*  
30 *319:*

31 *(1) "Advisory Council" or "council" means the Minority Business*  
32 *Advisory Council;*

33 *(2) "Director" means the Administrator of the Division of*  
34 *Minority Business Enterprise of the Department of Economic Development;*

35 *(3) "Division" means the Division of Minority Business*



Enterprise of the Department of Economic Development;

(4)(A) "Exempt" and "nonexempt" mean goods and services classified as either exempt or nonexempt for the purpose of administering this section and §§ 15-4-311, 15-4-312, and 15-4-314 - 15-4-319.

(B) The classification shall be determined by the Office of State Procurement and the division and submitted to the council for its review and consideration for the purposes of this section and §§ 15-4-311, 15-4-312, and 15-4-314 - 15-4-319;

(5) "Minority" means a lawful permanent resident of this state who is:

~~(A) A black citizen or black lawful permanent resident of the State of Arkansas;~~

~~(B)~~ An African American;

~~(C)~~(B) An Hispanic American;

~~(D)~~(C) An American Indian; or

~~(E)~~(D) An Asian ~~and~~ a Pacific Islander;

(6) "Minority business enterprise" means a business that is at least fifty-one percent (51%) owned by one (1) or more minority persons as defined in this section;

~~(7)~~(7) "Procurement" means buying, purchasing, renting, leasing, or otherwise acquiring any goods or services;

~~(8)~~(8) "State agency" means all departments, offices, boards, commissions, and institutions of the state, including the state-supported institutions of higher education; and

~~(9)~~(9) "State contract" means all types of state agreements, regardless of what they may be called, for the purchase of commodities and services and for the disposal of surplus commodities and services not otherwise exempt.

/s/ Rainey

APPROVED: 3/29/2007