

By: Lucio III

H.B. No. 970

A BILL TO BE ENTITLED

1 AN ACT

2 relating to considering ownership interests of disabled persons in
3 determining whether a business is a historically underutilized
4 business for purposes of state contracting.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 2161.001(3), Government Code, is amended
7 to read as follows:

8 (3) "Economically disadvantaged person" means a
9 person who is economically disadvantaged because of the person's
10 identification as a member of a certain group, including Black
11 Americans, Hispanic Americans, women, Asian Pacific Americans,
12 ~~[and]~~ Native Americans, and persons with a disability as defined by
13 42 U.S.C. Section 12102, and who has suffered the effects of
14 discriminatory practices or other similar insidious circumstances
15 over which the person has no control.

16 SECTION 2. Section 2161.125, Government Code, is amended to
17 read as follows:

18 Sec. 2161.125. CATEGORIZATION OF HISTORICALLY
19 UNDERUTILIZED BUSINESSES [~~BY SEX, RACE, AND ETHNICITY~~]. The
20 comptroller, in cooperation with each state agency reporting under
21 this subchapter, shall categorize each historically underutilized
22 business included in a report under this subchapter by sex, race,
23 and ethnicity and by whether the historically underutilized
24 business derives its status as a historically underutilized

1 business because it is owned or owned, operated, and controlled, as
2 applicable, wholly or partly by one or more persons with a
3 disability as defined by 42 U.S.C. Section 12102.

4 SECTION 3. This Act takes effect September 1, 2009.