

By: J. Johnson of Harris

H.B. No. 2649

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the women who are eligible for certification as owners  
3 of a historically underutilized business.

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

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

7 (3) "Economically disadvantaged person" means a  
8 person who:

9 (A) is economically disadvantaged because of the  
10 person's identification as a member of a certain group, including:

- 11 (i) Black Americans;  
12 (ii) Hispanic Americans;  
13 (iii) minority women;  
14 (iv) Asian Pacific Americans;  
15 (v) Native Americans; and  
16 (vi) veterans as defined by 38 U.S.C.  
17 Section 101(2) who have suffered at least a 20 percent  
18 service-connected disability as defined by 38 U.S.C. Section  
19 101(16); and

20 (B) has suffered the effects of discriminatory  
21 practices or other similar insidious circumstances over which the  
22 person has no control.

23 SECTION 2. Sections 2161.061(b), (d), and (e), Government  
24 Code, are amended to read as follows:

1           (b) As one of its certification procedures, the comptroller  
2 may:

3                 (1) approve the certification program of one or more  
4 local governments or nonprofit organizations in this state that  
5 certify historically underutilized businesses, minority business  
6 enterprises, minority women's business enterprises, or  
7 disadvantaged business enterprises under substantially the same  
8 definition, to the extent applicable, used by Section 2161.001, if  
9 the local government or nonprofit organization meets or exceeds the  
10 standards established by the comptroller; and

11                 (2) certify a business that is certified by a local  
12 government or by a nonprofit organization as a historically  
13 underutilized business under this chapter.

14           (d) A local government or a nonprofit organization that  
15 certifies historically underutilized businesses, minority business  
16 enterprises, minority women's business enterprises, or  
17 disadvantaged business enterprises as described in Subsections (b)  
18 and (c) shall complete the certification of an applicant or provide  
19 an applicant with written justification of its certification denial  
20 within the period established by the comptroller in its rules for  
21 certification activities.

22           (e) A local government or a nonprofit organization that  
23 certifies historically underutilized businesses under Subsection  
24 (c) or that conducts a certification program described by and  
25 approved under Subsection (b) shall make available to the public an  
26 online searchable database containing information about  
27 historically underutilized businesses, minority business

1 enterprises, minority women's business enterprises, and  
2 disadvantaged business enterprises certified by the local  
3 government or nonprofit organization, including:

4 (1) the name of the business;

5 (2) the contact person or owner of the business;

6 (3) the address and telephone number of the business;

7 (4) the type or category of business, including  
8 relevant capabilities of the business and the North American  
9 Industry Classification System codes for the business; and

10 (5) the expiration date of the business's  
11 certification.

12 SECTION 3. The change in law made by this Act applies only  
13 to the certification of a business as a historically underutilized  
14 business under Chapter 2161, Government Code, occurring on or after  
15 the effective date of this Act. The certification of a business as a  
16 historically underutilized business occurring before the effective  
17 date of this Act is governed by the law in effect on the date of the  
18 certification, and the former law is continued in effect for that  
19 purpose.

20 SECTION 4. This Act takes effect September 1, 2021.