*** § 312-a. Study of minority and women-owned business enterprises.** 1. The director of the division of minority and women-owned business development is authorized and directed to recommission a statewide disparity study regarding the participation of minority and women-owned business enterprises in state contracts since the amendment of this article to be delivered to the governor and legislature no later than August fifteenth, two thousand twenty-four. The study shall be prepared by an entity independent of the department and selected through a request for proposal process. The purpose of such study is:

(a) to determine whether there is a disparity between the number of qualified minority and women-owned businesses ready, willing and able to perform state contracts for commodities, services and construction, and the number of such contractors actually engaged to perform such contracts, and to determine what changes, if any, should be made to state policies affecting minority and women-owned business enterprises;

(b) to determine whether there is a disparity between the number of qualified minorities and women ready, willing and able, with respect to labor markets, qualifications and other relevant factors, to participate in contractor employment, management level bodies, including boards of directors, and as senior executive officers within contracting entities and the number of such group members actually employed or affiliated with state contractors in the aforementioned capacities, and to determine what changes, if any, should be made to state policies affecting minority and women group populations with regard to state contractors' employment and appointment practices relative to diverse group members. Such study shall include, but not be limited to, an analysis of the history of minority and women-owned business enterprise programs and their effectiveness as a means of securing and ensuring participation by minorities and women, and a disparity analysis by market area and region of the state. Such study shall distinguish between minority males, minority females and non-minority females in the statistical analysis; and

(c) such study shall also include an analysis of the utilization on state agency contracts of businesses owned by an Indian nation or tribe, as such term is defined in section two of the Indian law, whether a disparity exists between availability of such businesses to participate on state agency contracts and utilization, and, if so, the feasibility

of authorizing an Indian nation or tribe owned businesses to become certified as a participant in the minority and women-owned business enterprise program.

2. The director of the division of minority and women's business development is directed to transmit the disparity study to the governor and the legislature not later than August fifteenth, two thousand twenty-four, and to post the study on the website of the department of economic development.

3. The director of the division of minority and women-owned business development is authorized and directed to commission a policy study analyzing potential ways to improve the effectiveness of the state minority and women-owned business enterprise program in order to better help minority and women-owned businesses, to be delivered to the governor and legislature. The study shall be prepared by an entity independent of the department of economic development and selected through a request for proposal process. The purpose of such study shall be to provide recommendations to further strengthen and increase the effectiveness of the state minority and women-owned business enterprise program. The director of the division of minority and women's business development is directed to transmit the policy study to the governor and the legislature not later than May first, two thousand twenty-seven, and to post the study on the website of the department of economic development.

* NB Repealed July 1, 2028