

2024 Regular Session

HOUSE RESOLUTION NO. 277

BY REPRESENTATIVE MCFARLAND

PUBLIC CONTRACTS: To urge and request the La. Dept. of Transportation and Development to study best practices for letting of public contracts to disadvantaged business entities and to report recommendations for legislative changes to implement such best practices no later than December 15, 2024

1 A RESOLUTION

2 To urge and request the Louisiana Department of Transportation and Development to study  
3 the ways in which state laws relative to disadvantaged business entities or similar  
4 programs may conflict with federal standards and best practices and to report its  
5 findings and recommendations for proposed legislation to the House Committee on  
6 Appropriations and the Senate Committee on Finance.

7 WHEREAS, the federal government provides standards for contracting with  
8 disadvantaged business enterprises; and

9 WHEREAS, the federal government empowers state departments of transportation  
10 to administer such programs for transportation projects in the state; and

11 WHEREAS, in Louisiana, the Louisiana Department of Transportation and  
12 Development manages and oversees the state's disadvantaged business enterprises program  
13 consistent with federal requirements and acts as a standard-bearer for such programs; and

14 WHEREAS, it is in the best interest of Louisiana for disadvantaged business  
15 enterprises and similar programs to adhere to the best practices established by the federal  
16 government; and

17 WHEREAS, failing to adhere to best practices for disadvantaged business enterprises  
18 or similar set-aside programs can unnecessarily delay and increase costs for public projects  
19 and incentivize contracting with out-of-state businesses over locally-owned businesses; and

20 WHEREAS, Louisiana law empowers some political subdivisions to create

1 disadvantaged business enterprises or similar programs in manners that may be inconsistent  
2 with the best practices established by the federal government; and

3 WHEREAS, ensuring uniform application of federal best practices for such contracts  
4 is in the best interest of the citizens of the state; and

5 WHEREAS, making data-driven decisions relative to set-aside amounts is paramount  
6 to successful disadvantaged business enterprises or similar programs; and

7 WHEREAS, establishing and enforcing standards for certifications of businesses that  
8 qualify for disadvantaged business enterprises or similar programs is a core component of  
9 a successful program because such standards ensure a company is qualified and capable of  
10 performing the public work; and

11 WHEREAS, it is the goal of the House of Representatives of the Louisiana  
12 Legislature to aid persons and businesses in understanding and meeting standards for  
13 certification of disadvantaged business enterprises or similar programs.

14 THEREFORE, BE IT RESOLVED that the House of Representatives of the  
15 Legislature of Louisiana does hereby urge and request the Louisiana Department of  
16 Transportation and Development to study the ways in which state laws relative to  
17 disadvantaged business entities or similar programs may conflict with federal standards and  
18 best practices.

19 BE IT FURTHER RESOLVED that the House of Representatives of the Legislature  
20 of Louisiana urges and requests the Louisiana Department of Transportation and  
21 Development to collaborate with the division of administration to report by December 15,  
22 2024, its findings and recommendations for proposed legislation to bring the state statutes  
23 into conformity with best practices established by the federal government and to provide a  
24 copy of such findings and recommendations for proposed legislation to the House  
25 Committee on Appropriations and the Senate Committee on Finance.

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**DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HR 277 Engrossed

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McFarland

Urges and requests the La. Dept. of Transportation and Development to study the ways in which state laws relative to disadvantaged business entities or similar programs may conflict with federal standards and best practices and to report by Dec. 15, 2024, its findings and recommendations for proposed legislation to the House Committee on Appropriations and the Senate Committee on Finance.