

RÉSUMÉ DIGEST

ACT 221 (HB 457)

2022 Regular Session

Carpenter

Existing law generally authorizes every political subdivision in the state, through its respective fiscal officer or director of finance, to designate and set aside each fiscal year for awarding to minority businesses, an amount up to 10% of the value of anticipated local procurement of goods and services including construction. Provides that nothing in existing law should be construed to prohibit a political subdivision from setting aside an amount greater than 10%. Provides for eligibility and certification requirements.

Existing law provides an exception for the city of Shreveport and any board, agency, or commission of that city. Authorizes the entities to set aside local procurement of goods and services including construction for awarding to economically disadvantaged businesses.

New law provides another exception for the city of Baton Rouge/parish of East Baton Rouge (city-parish). Authorizes the city-parish governing authority and any board, agency, or commission of the city-parish to designate and set aside each fiscal year not less than 10% and not more than 25% of the value of anticipated local procurement of goods and services, including construction or doing of public work for awarding to socially and economically disadvantaged businesses.

New law provides for division of contract awards into units to facilitate offers or bids from socially and economically disadvantaged businesses. Authorizes varying the goods and services designated for set-asides.

New law requires the city-parish to adopt rules and regulations to implement new law. Requires certification as a socially and economically disadvantaged business by the city-parish governing authority. Authorizes establishment of a contract award procedure for such set-asides. Additionally authorizes adoption of a requirement that the prime contractor award a certain percentage, not to exceed 25%, of the total dollar bid to socially and economically disadvantaged subcontractors.

New law requires the city-parish and any board, agency, or commission of the city-parish to award the balance of procurement set-sides pursuant to existing law solicitation, bid evaluations, and contract award provisions if it is unable to award all of its set-asides to socially and economically disadvantaged businesses.

Effective August 1, 2022.

(Adds R.S. 38:2233.4)