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HOUSE BILL NO. 124

Offered January 8, 2020

Prefiled December 16, 2019

A BILL to amend the Code of Virginia by adding in Title 30 a chapter numbered 60, consisting of sections numbered 30-376 through 30-384, relating to Virginia Minority Business Commission; report.

Patrons—Miyares, Cole, J.G., Davis, Jenkins, Lopez, Plum and Simonds; Senator: Mason

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 30 a chapter numbered 60, consisting of sections numbered 30-376 through 30-384, as follows:

CHAPTER 60.

VIRGINIA MINORITY BUSINESS COMMISSION.

§ 30-376. Virginia Minority Business Commission; purpose.

The Virginia Minority Business Commission (the Commission) is established in the legislative branch of state government. The purpose of the Commission is to promote the growth and competitiveness of Virginia minority-owned businesses.

§ 30-377. Membership; terms; vacancies; chairman and vice-chairman.

The Commission shall consist of 13 members that include seven legislative members and six nonlegislative citizen members. Members shall be appointed as follows: four members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; three members of the Senate to be appointed by the Senate Committee on Rules; three nonlegislative citizen members with expertise in entrepreneurship, economics, and business to be appointed by the Speaker of the House of Delegates; and three nonlegislative citizen members with expertise in entrepreneurship, economics, and business to be appointed by the Senate Committee on Rules. Nonlegislative citizen members of the Commission shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the Commission and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings.

Legislative members and ex officio members of the Commission shall serve terms coincident with their terms of office. Nonlegislative citizen members shall be appointed for a term of two years. Appointments to fill vacancies, other than by expiration of a term, shall be for the unexpired terms. Legislative members and nonlegislative citizen members may be reappointed. However, no nonlegislative citizen member shall serve more than four consecutive two-year terms. The remainder of any term to which a member is appointed to fill a vacancy shall not constitute a term in determining the member's eligibility for reappointment. Vacancies shall be filled in the same manner as the original appointments.

The Commission shall elect a chairman and vice-chairman from among its membership, who shall be members of the General Assembly.

§ 30-378. Quorum; meetings; voting on recommendations.

A majority of the members shall constitute a quorum. The meetings of the Commission shall be held at the call of the chairman or whenever the majority of the members so request.

No recommendation of the Commission shall be adopted if a majority of the House members or a majority of the Senate members appointed to the Commission (i) vote against the recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the Commission.

§ 30-379. Compensation; expenses.

Legislative members of the Commission shall receive such compensation as provided in § 30-19.12, and nonlegislative citizen members shall receive such compensation for the performance of their duties as provided in § 2.2-2813. All members shall be reimbursed for reasonable and necessary expenses incurred in the performance of their duties as provided in §§ 2.2-2813 and 2.2-2825. Compensation to members of the General Assembly for attendance at official meetings of the Commission shall be paid by the offices of the Clerk of the House of Delegates or Clerk of the Senate, as applicable. All other compensation and expenses shall be paid from existing appropriations to the Commission or, if unfunded, shall be approved by the Joint Rules Committee.

§ 30-381. Powers and duties of the Commission.

The Commission shall have the following powers and duties:

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1. Evaluate the impact of existing statutes and proposed legislation on minority businesses;

2. Assess the Commonwealth's minority business assistance programs and examine ways to enhance their effectiveness;

3. Provide minority business owners and advocates with a forum to address their concerns;

4. Develop strategies and recommendations to promote the growth and competitiveness of Virginia minority-owned businesses;

5. Collaborate with the Department of Small Business and Supplier Diversity and other appropriate entities to facilitate the Commission's work and mission; and

7. Perform such other duties, functions, and activities as may be necessary to facilitate and implement the objectives of this chapter.

§ 30-382. Executive director; staff; compensation.

The Commission may appoint and employ and, at its pleasure, remove an executive director and such other persons as it deems necessary to assist it in carrying out its duties as set forth in this chapter. The Commission may determine the duties of such staff and fix their salaries or compensation within the amounts appropriated therefor.

§ 30-383. Chairman's executive summary of activity and work of the Commission.

The chairman shall submit to the General Assembly and the Governor an annual executive summary of the interim activity and work of the Commission no later than the first day of each regular session of the General Assembly. The executive summary shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

§ 30-384. Sunset.

This chapter shall expire on July 1, 2023.