

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 2.2-2311.1 of the Code of Virginia, relating to the Virginia Small*
 3 *Business Financing Authority; Small, Women-owned, and Minority-owned Business Loan Fund.*

4 [H 1263]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 2.2-2311.1 of the Code of Virginia is amended and reenacted as follows:**8 **§ 2.2-2311.1. Creation, administration, and management of the Small, Women-owned, and**
 9 **Minority-owned Business Loan Fund.**

10 A. For the purposes of this section:

11 "Eligible small business" means any person engaged in a for-profit business enterprise in the
 12 Commonwealth and such enterprise has (i) \$10 million or less in annual gross income under generally
 13 accepted accounting principles for up to each of its last three fiscal years or lesser time period if it has
 14 been in existence less than three years, (ii) fewer than 250 employees, or (iii) a net worth of \$1 million
 15 or less, or such business enterprise meets such other satisfactory requirements as the Board shall
 16 determine from time to time upon a finding that such business enterprise is in need of assistance.

17 "Fund" means the Small, Women-owned, and Minority-owned Business Loan Fund.

18 "Minority-owned business" means a for-profit small business concern that is majority-owned by one
 19 or more individuals of an ethnic or racial minority. In the case of a corporation, a majority of the stock
 20 shall be owned by one or more such individuals and the management and daily business operations shall
 21 be controlled by one or more of the individuals of an ethnic or racial minority who own it.

22 "Women-owned business" means a for-profit small business concern that is majority-owned by one
 23 or more women. In the case of a corporation, a majority of the stock shall be owned by one or more
 24 women and the management and daily business operations shall be controlled by one or more of the
 25 women who own it.

26 B. There is created ~~in the state treasury~~ a permanent ~~nonreverting~~ revolving loan fund to be known
 27 as the Small, Women-owned, and Minority-owned Business Loan Fund. ~~The Fund shall be established~~
 28 ~~on the books of the Comptroller.~~ The Fund shall be comprised of (i) moneys appropriated to the Fund
 29 by the General Assembly, (ii) *moneys collected by the Authority as a result of loan repayments*, (iii) all
 30 income from the investment of moneys held by the Fund, and ~~(iii)~~ (iv) any other moneys designated for
 31 deposit to the Fund from any source, public or private. ~~All moneys shall be paid into the state treasury~~
 32 ~~and credited to the Fund.~~ Interest earned on moneys in the Fund shall remain in the Fund and be
 33 credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal
 34 year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used
 35 to provide direct loans to eligible small, women-owned, and minority-owned businesses. The Fund shall
 36 be managed and administered by the Authority with guidance from the Director of the Department of
 37 Small Business and Supplier Diversity. ~~Expenditures and disbursements from the Fund shall be made by~~
 38 ~~the State Treasurer on warrants issued by the Comptroller upon written request signed by the Executive~~
 39 ~~Director of the Authority.~~

40 C. The Authority, or its designated agents, shall determine the qualifications, terms, and conditions
 41 for the use of the Fund and the accounts thereof.

ENROLLED

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