

1 **AN ACT** *to amend* 16.75 (3m) (c) 3.; and *to create* 84.075 (2m) of the statutes;
 2 **relating to:** information on state contracts with minority businesses.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This draft was prepared for the joint legislative council’s special committee on affirmative action.

Under current law, state agencies, in awarding contracts to private companies for goods and services, must generally award the contract to the lowest responsible bidder. One exception to this requirement applies to contracting with minority–owned businesses. An agency may award up to 5% of the total amount expended annually to minority businesses that submit a qualified responsible bid that is no more than 5% higher than the low bid.

The draft requires the state to maintain a website setting forth the following information regarding contracts with minority businesses:

1. Data on state purchases from minority businesses, including amounts expended and the percentage of total expenditures awarded to minority businesses.
2. The identity of businesses that have been awarded contracts under the minority–owned business exception to the low–bid requirement.

3 **SECTION 1.** 16.75 (3m) (c) 3. of the statutes is amended to read:

4 16.75 (**3m**) (c) 3. The department shall maintain and annually publish data on state
 5 purchases from minority businesses, including amounts expended and the percentage of total
 6 expenditures awarded to minority businesses. The department shall maintain a website
 7 containing this information and the identity of businesses that have been awarded contracts
 8 under this subsection.

9 **SECTION 2.** 84.075 (2m) of the statutes is created to read:

1 84.075 **(2m)** The department shall maintain and annually publish data on state
2 purchases from minority businesses, including amounts expended and the percentage of total
3 expenditures awarded to minority businesses. The department shall maintain a website
4 containing this information and the identity of businesses that have been awarded contracts
5 under this section.

6

(END)