



2023 SENATE BILL 137

March 23, 2023 - Introduced by Senators BALLWEG, HESSELBEIN, COWLES, LARSON, SPREITZER and ROYS, cosponsored by Representatives RODRIGUEZ, ROZAR, BILLINGS, J. ANDERSON, ANDRACA, ARMSTRONG, BARE, CLANCY, CONSIDINE, DITTRICH, DUCHOW, EMERSON, GOYKE, JACOBSON, JOERS, S. JOHNSON, MADISON, MICHALSKI, NEDWESKI, NOVAK, ORTIZ-VELEZ, SCHUTT, SHANKLAND, SINICKI, STUBBS and SUBECK. Referred to Committee on Government Operations, Elections and Consumer Protection.

1 **AN ACT** *to amend* 16.75 (3m) (c) 4. and 16.75 (3m) (c) 5. a.; and *to create* 16.75
2 (3m) (a) 5. and 16.87 (2) (bm) of the statutes; **relating to:** preferences for
3 woman-owned businesses in state procurement for architectural and
4 engineering services.

Analysis by the Legislative Reference Bureau

Under this bill, the Department of Administration must attempt to ensure that it pays certified woman-owned businesses 5 percent of the total amount expended for architectural and engineering services in each fiscal year, which is identical to the requirement for minority-owned businesses under current law. Also under the bill, DOA must include information regarding contracts awarded to and money paid to woman-owned businesses in an annual report to the governor and legislature, in a manner identical to that required for minority-owned businesses on the state's progress of meeting this goal.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

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

5 **SECTION 1.** 16.75 (3m) (a) 5. of the statutes is created to read:

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1 16.75 (3m) (a) 5. “Woman-owned business” means a business certified by the
2 department of administration under s. 16.285.

3 **SECTION 2.** 16.75 (3m) (c) 4. of the statutes is amended to read:

4 16.75 (3m) (c) 4. The department shall annually prepare and submit a report
5 to the governor and to the chief clerk of each house of the legislature, for distribution
6 to the appropriate standing committees under s. 13.172 (3), on the total amount of
7 money paid to and the amount of indebtedness or other obligations underwritten by
8 minority businesses, minority financial advisers, minority investment firms,
9 woman-owned businesses, disabled veteran-owned businesses, disabled
10 veteran-owned financial advisers, and disabled veteran-owned investment firms
11 under the requirements of this subsection and ss. 16.855 (10m), 16.87 (2), 25.185,
12 84.075 and 565.25 (2) (a) 3. and on this state’s progress toward achieving compliance
13 with par. (b) and ss. 16.855 (10m) (am) and (10n), 16.87 (2), 25.185, and 84.075 (1m).
14 The report shall also include the percentage of the total amount of money paid to and
15 the percentage of the total amount of indebtedness or other obligations underwritten
16 by woman-owned businesses, disabled veteran-owned businesses, disabled
17 veteran-owned financial advisers, and disabled veteran-owned investment firms.
18 In calculating the percentages to be reported under this subsection, the department
19 shall exclude any purchase or contract for which a preference would violate any
20 federal law or regulation or any contract between an agency and a federal agency or
21 any contract that would result in a reduction in the amount of federal aids received
22 by this state.

23 **SECTION 3.** 16.75 (3m) (c) 5. a. of the statutes is amended to read:

24 16.75 (3m) (c) 5. a. In determining whether a purchase, contract, or subcontract
25 complies with the goal established under par. (b) 1. or 2. or s. 16.855 (10m) (am) 1.

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1 or 2., 16.87 (2) (b), ~~(bm)~~, or (c), or 25.185 (2) (a) or (b), the department shall include
2 only amounts paid to businesses, financial advisers, and investment firms certified
3 by the department of administration under s. 16.283, ~~16.285~~, or 16.287 (2),
4 whichever is appropriate.

5 **SECTION 4.** 16.87 (2) (bm) of the statutes is created to read:

6 16.87 (2) (bm) The department shall attempt to ensure that 5 percent of the
7 total amount expended under this section in each fiscal year is paid to woman-owned
8 businesses, as defined in s. 16.75 (3m) (a) 5.

9 (END)