



General Assembly

January Session, 2007

**Committee Bill No. 6418**

LCO No. 5798

\* \_\_\_\_\_HB06418PD\_\_\_\_032307\_\_\_\_\_\*

Referred to Committee on Planning and Development

Introduced by:  
(PD )

**AN ACT CONCERNING THE MUNICIPAL SET-ASIDE PROGRAM FOR  
SMALL CONTRACTORS AND MINORITY BUSINESS ENTERPRISES.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. Section 7-148u of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 (a) As used in this section:

4 (1) "Small contractor" means any contractor, subcontractor,  
5 manufacturer or service company (A) which has been doing business  
6 and has maintained its principal place of business in the state for a  
7 period of at least one year prior to the date of application for  
8 certification under this section, (B) which had gross revenues not  
9 exceeding [three] ten million dollars in the most recently completed  
10 fiscal year prior to such application, and (C) at least fifty-one per cent  
11 of the ownership of which is held by a person or persons who are  
12 active in the daily affairs of the business and have the power to direct  
13 the management and policies of the business.

14 (2) "Minority business enterprise" means any small contractor (A)  
15 fifty-one per cent or more of the capital stock, if any, or assets of which

16 are owned by a person or persons (i) who are active in the daily affairs  
 17 of the enterprise, (ii) who have the power to direct the management  
 18 and policies of the enterprise, and (iii) who are members of a minority,  
 19 as such term is defined in subsection (a) of section 32-9n<sub>2</sub> or (B) who is  
 20 an individual with a disability.

21 (3) "Individual with a disability" means an individual (A) having a  
 22 physical impairment that substantially limits one or more of the major  
 23 life activities of the individual<sub>2</sub> or (B) having a record of such an  
 24 impairment.

25 (b) Notwithstanding any provision of the general statutes or of any  
 26 special act or any municipal charter or home rule ordinance, a  
 27 municipality may, by ordinance, set aside in each fiscal year, for award  
 28 to small contractors, on the basis of a competitive bidding procedure,  
 29 municipal contracts or portions of municipal contracts for the  
 30 construction, reconstruction or rehabilitation of public buildings, the  
 31 construction and maintenance of highways and the purchase of goods  
 32 and services. The total value of such contracts or portions thereof to be  
 33 set aside shall be [not more than] at least twenty-five per cent of the  
 34 average of the total value of all such contracts let by the municipality  
 35 for each of the previous three fiscal years, provided a contract that may  
 36 not be set aside due to a conflict with a federal law or regulation shall  
 37 not be included in the calculation of such average. Contracts or  
 38 portions thereof having a value of not less than twenty-five per cent of  
 39 the total value of all contracts or portions thereof to be set aside shall  
 40 be reserved for awards to minority business enterprises.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	7-148u

**PD**      *Joint Favorable*