

CHAPTER.....

AN ACT relating to business; requiring the Office of Economic Development and the Regional Business Development Advisory Council for Clark County to provide certain businesses with information concerning public and private programs to obtain financing for small businesses; requiring the Secretary of State to ensure that the state business portal enables an applicant for the issuance or renewal of a state business license to provide certain information concerning the applicant; requiring the Secretary of State to provide through the state business portal and the Internet website of the Secretary of State certain information concerning public and private programs to obtain financing for small businesses and the process for obtaining certification as a disadvantaged business enterprise; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law: (1) provides for the certification of eligible local emerging small businesses by the Office of Economic Development; and (2) requires the Office to establish an outreach program for local emerging small businesses to connect those businesses with state agencies seeking state purchasing contracts and contracts for public works of this State and goals concerning the participation of local emerging small businesses in those contracts. (NRS 231.1405, 231.14065, 231.1407) **Section 1** of this bill requires the Office to provide a business certified as an eligible local emerging small business with certain information concerning public and private programs to provide financing to small businesses and the criteria for obtaining financing through such programs.

Existing law requires a person to obtain a state business license and pay an annual fee before conducting business within this State, unless the person is exempted from the requirement to obtain a state business license. (NRS 76.100, 76.130) Existing law also requires the Secretary of State to establish the state business portal to facilitate transactions among businesses and governmental agencies in this State. (Chapter 75A of NRS) **Section 1.5** of this bill requires the Secretary of State to ensure that the state business portal enables an applicant who applies through the state business portal for the issuance or renewal of a state business license to indicate whether the applicant’s business is a minority-owned business, a woman-owned business or a veteran-owned business. If the applicant indicates that the business is a minority-owned business, a woman-owned business or a veteran-owned business, **section 1.5** requires the Secretary of State to provide in electronic form through the state business portal information concerning: (1) certain public and private programs to provide financing to small businesses and the criteria for obtaining financing through such programs; and (2) how the person may become certified as a disadvantaged business enterprise for certain purposes related to contracting for transportation projects and qualifying for loans to disadvantaged business enterprises. **Section 4.5** of this bill additionally requires the



Secretary of State to include and maintain such information on the Secretary of State's Internet website.

Existing law creates the Regional Business Development Advisory Council for Clark County and prescribes its duties. (Sections 15 and 20 of chapter 7, Statutes of Nevada 2003, 20th Special Session, at pp. 268-69) **Section 5** of this bill requires the Council to provide to local businesses owned and operated by disadvantaged persons certain information concerning public and private programs to provide financing to small businesses and the criteria for obtaining financing through such programs.

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 231.14055 is hereby amended to read as follows:

231.14055 1. A business may apply, on a form prescribed by regulation of the Office, to the Office for certification as a local emerging small business. The application must be accompanied by such proof as the Office requires to demonstrate that the applicant is in compliance with the criteria set forth in NRS 231.1405 and any regulations adopted pursuant to NRS 231.1408.

2. Upon receipt of the application and when satisfied that the applicant meets the requirements set forth in this section, NRS 231.1405 and any regulations adopted pursuant to NRS 231.1408, the Office shall ~~certify~~:

(a) *Certify* the business as a local emerging small business ~~+~~ ;
and

(b) *Provide to the business, in written or electronic form, information concerning public and private programs to provide financing for small businesses and the criteria for obtaining financing through such programs. The information must include, without limitation, information concerning:*

(1) *Grants or loans of money from the Catalyst Account created by NRS 231.1573;*

(2) *The issuance of revenue bonds for industrial development pursuant to NRS 349.400 to 349.670, inclusive;*

(3) *The Nevada Collateral Support Program pursuant to 12 U.S.C. §§ 5701 et seq.;*

(4) *The Nevada Microenterprise Initiative Program pursuant to 12 U.S.C. §§ 5701 et seq.;*

(5) *The Nevada New Markets Jobs Act pursuant to chapter 231A of NRS;*



(6) The Nevada Silver State Opportunities Fund pursuant to NRS 355.275;

(7) Loans from the Small Business Administration pursuant to 15 U.S.C. §§ 631 et seq.; and

(8) Any other private program to provide financing for small businesses approved by the Office.

3. The Office shall compile a list of the local emerging small businesses certified pursuant to this section and post the list on its Internet website.

Sec. 1.5. Chapter 75A of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Secretary of State shall ensure that the state business portal enables a person who applies through the state business portal for the issuance or renewal of a state business license pursuant to chapter 76 of NRS to indicate whether the applicant is a minority-owned business, a woman-owned business or a veteran-owned business.

2. If a person who applies through the state business portal for the issuance or renewal of a state business license pursuant to chapter 76 of NRS indicates that the business is a minority-owned business, a woman-owned business or a veteran-owned business, the Secretary of State shall provide the following information to the person in electronic form through the state business portal:

(a) Information concerning programs to provide financing for small businesses. The information must include, without limitation, information concerning:

(1) Grants or loans of money from the Catalyst Account created by NRS 231.1573;

(2) The issuance of revenue bonds for industrial development pursuant to NRS 349.400 to 349.670, inclusive;

(3) The Nevada Collateral Support Program pursuant to 12 U.S.C. §§ 5701 et seq.;

(4) The Nevada Microenterprise Initiative Program pursuant to 12 U.S.C. §§ 5701 et seq.;

(5) The Nevada New Markets Jobs Act pursuant to chapter 231A of NRS;

(6) The Nevada Silver State Opportunities Fund pursuant to NRS 355.275;

(7) Loans from the Small Business Administration pursuant to 15 U.S.C. §§ 631 et seq.; and

(8) Any other program to provide financing for small businesses designated by the Secretary of State.



(b) Information concerning the process by which the business may become certified as a disadvantaged business enterprise for the purposes of 49 C.F.R. § 26.5 or a program to provide financing for disadvantaged business enterprises.

3. The Secretary of State may adopt regulations as he or she deems necessary to carry out the provisions of this section.

4. As used in this section:

(a) "Veteran" has the meaning ascribed to it in NRS 417.005.

(b) "Veteran-owned business" means a business that:

(1) Is owned by a natural person who is a veteran; or

(2) Has at least 51 percent of its ownership interest held by one or more veterans.

Secs. 2-4. (Deleted by amendment.)

Sec. 4.5. Chapter 225 of NRS is hereby amended to read as follows:

1. The Secretary of State shall include and maintain on the Internet website of the Secretary of State information concerning:

(a) Programs to provide financing for small businesses. The information must include, without limitation, information concerning:

(1) Grants or loans of money from the Catalyst Account created by NRS 231.1573;

(2) The issuance of revenue bonds for industrial development pursuant to NRS 349.400 to 349.670, inclusive;

(3) The Nevada Collateral Support Program pursuant to 12 U.S.C. §§ 5701 et seq.;

(4) The Nevada Microenterprise Initiative Program pursuant to 12 U.S.C. §§ 5701 et seq.;

(5) The Nevada New Markets Jobs Act pursuant to chapter 231A of NRS;

(6) The Nevada Silver State Opportunities Fund pursuant to NRS 355.275;

(7) Loans from the Small Business Administration pursuant to 15 U.S.C. § 631 et seq.; and

(8) Any other program to provide financing for small businesses designated by the Secretary of State.

(b) The process by which the business may become certified as a disadvantaged business enterprise for the purposes of 49 C.F.R. § 26.5 or a program to provide financing for disadvantaged business enterprises.

2. The Secretary of State may adopt regulations as he or she deems necessary to carry out the provisions of this section.

3. As used in this section:



(a) "Veteran" has the meaning ascribed to it in NRS 417.005.

(b) "Veteran-owned business" means a business that:

(1) Is owned by a natural person who is a veteran; or

(2) Has at least 51 percent of its ownership interest held by one or more veterans.

Sec. 5. Section 20 of the Regional Business Development Advisory Council for Clark County Act, being chapter 7, Statutes of Nevada 2003, 20th Special Session, as amended by chapter 142, Statutes of Nevada 2015, at page 550, is hereby amended to read as follows:

Sec. 20. 1. The Council shall propose and implement policies, programs and procedures to encourage and promote the use of local businesses owned and operated by disadvantaged persons, particularly in the area of contracting and procurement by public agencies in Clark County.

2. On or before November 1 of each year, each public entity which has a representative on the Council pursuant to subsection 1 of section 15 of this act shall prepare and deliver a written report to the Council for the immediately preceding fiscal year which contains:

(a) The number of persons employed by the public entity, disaggregated by major ethnic and racial categories, including, without limitation, African-American, Asian, Caucasian, Hispanic and Native American.

(b) Expenditures made by the public entity during the immediately preceding fiscal year, disaggregated by discretionary and nondiscretionary expenditures.

(c) The percentage of expenditures paid by the public entity to local businesses owned and operated by disadvantaged persons, disaggregated by ethnic and racial categories and by gender.

(d) A summary of the efforts and programs used by the public entity to encourage and increase the involvement in contracting local businesses owned and operated by disadvantaged persons and any efforts or programs used by the public entity to encourage the economic development of local businesses owned and operated by disadvantaged persons.

(e) Such other information as the Council determines is necessary to achieve its goals.

3. The Council shall encourage each public and private entity which has a representative on the Council pursuant to subsection 2 of section 15 of this act to prepare and deliver to



the Council an annual report similar to the report required pursuant to subsection 2.

4. *The Council shall provide to local businesses owned and operated by disadvantaged persons information, in written or electronic form, concerning public and private programs to provide financing for small businesses and the criteria for obtaining financing through such programs. The information must include, without limitation:*

(a) Grants or loans of money from the Catalyst Account created by NRS 231.1573;

(b) The issuance of revenue bonds for industrial development pursuant to NRS 349.400 to 349.670, inclusive;

(c) The Nevada Collateral Support Program pursuant to 12 U.S.C. §§ 5701 et seq.;

(d) The Nevada Microenterprise Initiative Program pursuant to 12 U.S.C. §§ 5701 et seq.;

(e) The Nevada New Markets Jobs Act pursuant to chapter 231A of NRS;

(f) The Nevada Silver State Opportunities Fund pursuant to NRS 355.275;

(g) Loans from the Small Business Administration pursuant to 15 U.S.C. §§ 631 et seq.; and

(h) Any other private lending opportunity for small businesses with which the Council has a working relationship.

5. On or before January 15 of each odd-numbered year, the Council shall prepare a report regarding the policies, programs and procedures that the Council proposed and implemented during the immediately preceding 2 years to encourage and promote the use of local businesses owned and operated by disadvantaged persons, using the reports received pursuant to this section, and shall submit the report to the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature.

Sec. 6. 1. This section and sections 1 and 5 of this act become effective on July 1, 2017.

2. Sections 1.5 to 4.5, inclusive, of this act become effective on January 1, 2018.



