

2021 -- S 0741

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LC002118
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY
JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS – AFFIRMATIVE ACTION PLANS

Introduced By: Senators Mendes, Bell, Anderson, and Mack

Date Introduced: March 26, 2021

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 37 of the General Laws entitled "PUBLIC PROPERTY AND WORKS"
2 is hereby amended by adding thereto the following chapter:

3 CHAPTER 2.7

4 AFFIRMATIVE ACTION PLANS

5 **37-2.7-1. Affirmative action plans.**

6 The director of the department of administration and the office of diversity, equity and
7 opportunity shall promulgate rules and regulations to ensure that contractors and subcontractors
8 undertake programs of affirmative action and equal employment opportunity. Such rules and
9 regulations shall require a contractor, after notice in a bid solicitation, to submit an affirmative
10 action and equal employment opportunity plan or program after bid opening and prior to the award
11 of any contract, and shall require the contractor or subcontractor to submit compliance reports
12 relating to the contractor’s or subcontractor’s operation and implementation of current and prior
13 year affirmative action and equal employment opportunity plan or program in effect as of the date
14 the contract is executed.

15 **37-2.7-2. Applicability.**

16 This chapter shall apply to any and all state procurements, including, but not limited to, the
17 procurement of goods, services, public works projects, or contracts funded in whole or in part by
18 state funds, or funds which, in accordance with a federal grant or otherwise, the state expends or
19 administers, or in which the state is a signatory to the construction contract.

1 **37-2.7-3. Reporting.**

2 (a) The department of administration and office of diversity, equity and opportunity shall
3 annually produce an affirmative action progress report, which shall include, but not be limited to,
4 data on gender, age, and race demographics for all state contracts granted in the last five (5) years
5 and shall chart growth, progress, and implementation of affirmative action plans among all state
6 procurements.

7 (b) The affirmative action progress report produced pursuant to subsection (a) of this
8 section shall be made public and shall be prominently posted on the department of administration's
9 website.

10 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would require a contractor to submit an affirmative action and equal employment
2 opportunity plan or program prior to the award of any contract, and may require the contractor to
3 submit compliance reports with respect to the operation and implementation of the affirmative
4 action and equal employment opportunity plan or program in effect as of the date the contract is
5 executed.

6 This act would take effect upon passage.

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