ASSEMBLY, No. 4274

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED JUNE 15, 2020

Sponsored by:

Assemblyman HERB CONAWAY, JR.
District 7 (Burlington)
Assemblywoman SHAVONDA E. SUMTER
District 35 (Bergen and Passaic)
Assemblyman STERLEY S. STANLEY
District 18 (Middlesex)

Co-Sponsored by:

Assemblywoman Reynolds-Jackson, Assemblymen Giblin, Johnson, Assemblywomen Jasey, Vainieri Huttle, Assemblyman McKeon, Assemblywomen Tucker, Timberlake, Lampitt, Assemblymen Houghtaling, Tully, Assemblywomen Swain and Downey

SYNOPSIS

Expands powers and duties of State Chief Diversity Officer to promote diversity in State government and public contracting.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/21/2021)

1	AN ACT	concerning	the	powers	and	duties	of	the	State	Chief
2	Divers	sity Officer a	nd aı	mending	P.L.2	2017, c.	95.			

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BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

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- 7 1. Section 1 of P.L.2017, c.95 (C.52:32-18.1) is amended to read
- 8 as follows: 9 1. <u>a.</u> There is established in the **[**Division of Purchase and
- 10 Property in the 1 State Department of the Treasury the State Office of
- 11 Diversity and Inclusion. The purpose of the office shall be to lead
- 12 New Jersey's efforts to promote diversity in State government so that 13
- it is reflective of the State's population and to increase utilization of 14 minority-owned and women-owned business enterprises in the
- 15 State's public contracting process.
- 16 b. The office shall be headed by a Chief Diversity Officer who 17 shall be appointed by the Governor.
 - c. It shall be the duty of the Chief Diversity Officer to:
 - (1) advise the Governor on Statewide policies and procedures related to workforce diversity and minority-owned and womenowned business enterprise programs;
 - (2) develop, administer, and implement a Statewide strategic diversity and inclusion plan designed to provide accountability, measure performance, and centralize processes and procedures across State agencies, colleges, and universities;
 - (3) establish quarterly meetings with heads of State agencies, colleges, and universities to review and advise on diversity training, outreach, and utilization of minority-owned and women-owned business enterprises;
 - (4) collaborate with the Governor's director of appointments and the head of each Executive Branch department to ensure diversity in recruitment for senior level positions;
 - (5) collaborate with the head of each principal department in the Executive Branch to appoint a diversity officer for each department who shall be charged with identifying diverse workforce talent;
 - (6) develop and implement a training curriculum that provides for core competencies in diversity, equity, and inclusion;
 - (7) monitor the State's public contracting process for the purpose of compiling information on the awarding of contracts to minorityowned and women-owned business enterprises, the total value of all contracts and the percentage of the value of those contracts awarded to minority-owned and women-owned business enterprises [.];
- 43 (8) establish goals for participation of minority-owned and 44 women-owned business enterprises based on best estimates of market
- 45 availability without set-asides or quotas;

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1	(9) receive reports from dedicated procurement officers across					
2	State agencies, colleges, and universities charged with					
3	implementation of minority-owned and women-owned business					
4	enterprise goals for purposes of compiling an annual report to the					
5	Governor evaluating attainment of such goals;					
6	(10) oversee the implementation and utilization of a Statewide					
7	software system that monitors and tracks State agency, college, and					
8	university minority-owned and women-owned business enterprise					
9	spending in real time, provides analysis of agency utilization goals,					
10	and alerts agencies when current spending patterns are projected to					
11	not reach those goals;					
12	(11) ensure that State procurement solicitation documents set					
13	forth minority-owned and women-owned business enterprise goals					
14	and require that State agencies, colleges, and universities provide					
15	lists of known minority-owned and women owned business					
16	enterprise subcontractors to parties seeking such information;					
17	(12) establish protocols and practices for State agencies,					
18	colleges, and universities to conduct outreach efforts to minority-					
19	owned and women-owned business enterprises;					
20	(13) ensure that the State Department of the Treasury sets					
21	reasonable goals for working with minority and women fiscal agents					
22	as defined in section 2 of P.L.2001, c.286 (C.52:18A-8.1a); and					
23	(14) ensure that State fiduciary entities develop programs to					
24	provide financing or access to capital for minority-owned and women					
25	owned business enterprises.					
26	For purposes of this section, "State agency" means any principal					
27	department in the Executive Branch and any division, board, bureau,					
28	office, commission, or other instrumentality within or created by a					
29	principal department, and any independent State authority,					
30	commission, or instrumentality.					
31	(cf: P.L.2017, c.95, s.1)					
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33	2. This act shall take effect immediately.					
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36	STATEMENT					
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This bill expands the roles and responsibilities of the State's Chief Diversity Officer. Currently, the Chief Diversity Officer is responsible for monitoring the State's public contracting process to compile information on the awarding of contracts to minority-owned

42 and women-owned businesses.

> In addition to performing this current role, the Chief Diversity Officer would also be responsible for promoting diversity and inclusion within State government by developing a Statewide diversity and inclusion plan and ensuring that diverse candidates are considered for State positions.

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1	This bill gives the Chief Diversity Officer a more active role in
2	promoting the utilization of minority-owned and women-owned
3	businesses by State agencies, colleges, and universities.
4	By expanding upon the roles and responsibilities of the State's
5	Chief Diversity Officer, State government will better understand and
6	be reflective of the State's demographics while affording minority-
7	owned and women-owned businesses more opportunities to
8	participate in the procurement of goods and services to the public
9	sector.