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## HOUSE BILL NO. 460

Offered January 14, 2026

Prefiled January 12, 2026

*A BILL to amend and reenact §§ 2.2-1605 and 2.2-1610 of the Code of Virginia, relating to Department of Small Business and Supplier Diversity; employment services organizations.*

Patron—Cohen

### Committee Referral Pending

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 2.2-1605 and 2.2-1610 of the Code of Virginia are amended and reenacted as follows:**

## § 2.2-1605. Powers and duties of Department.

A. The Department shall have the following powers and duties:

1. Coordinate as consistent with prevailing law the plans, programs, and operations of the state government that affect or may contribute to the establishment, preservation, and strengthening of small, women-owned, and minority-owned businesses;

2. Promote the mobilization of activities and resources of state and local governments, businesses and trade associations, baccalaureate institutions of higher education, foundations, professional organizations, and volunteer and other groups towards the growth of small businesses and businesses owned by women and minorities, and facilitate the coordination of the efforts of these groups with those of state departments and agencies;

3. Establish a center for the development, collection, summarization, and dissemination of information that will be helpful to persons and organizations throughout the nation in undertaking or promoting procurement from small, women-owned, and minority-owned businesses;

4. Consistent with prevailing law and availability of funds, and according to the Director's discretion, provide technical and management assistance to small, women-owned, and minority-owned businesses and defray all or part of the costs of pilot or demonstration projects that are designed to overcome the special problems of small, women-owned, and minority-owned businesses;

5. Advise the Small Business Financing Authority on the management and administration of the Small, Women-owned, and Minority-owned Business Loan Fund created pursuant to § 2.2-2311.1;

6. Implement any remediation or enhancement measure for small, women-owned, or minority-owned businesses *and employment services organizations* as may be authorized by the Governor pursuant to subsection C of § 2.2-4310 and develop regulations, consistent with prevailing law, for program implementation. Such regulations shall be developed in consultation with the state agencies with procurement responsibility and promulgated by those agencies in accordance with applicable law;

7. Receive and coordinate, with the appropriate state agency, the investigation of complaints that a business certified pursuant to this chapter has failed to comply with its subcontracting plan under subsection D of § 2.2-4310. If the Department determines that a business certified pursuant to this chapter has failed to comply with the subcontracting plan, the business shall provide a written explanation; and

8. Facilitate relationships between established businesses and start-up women-owned and minority-owned businesses by creating and administering a mentorship program under the provisions of § 2.2-1605.1.

B. In addition, the Department shall serve as the liaison between the Commonwealth's existing businesses and state government in order to promote the development of Virginia's economy. To that end, the Department shall:

1. Encourage the training or retraining of individuals for specific employment opportunities at new or expanding business facilities in the Commonwealth;
2. Develop and implement programs to assist small businesses in the Commonwealth in order to promote their growth and the creation and retention of jobs for Virginians;
3. Establish an industry program that is the principal point of communication between basic employers in the Commonwealth and the state government that will address issues of significance to business;

the Commonwealth and the state government that will address issues of significance to business;

4. Make available to existing businesses, in conjunction and cooperation with localities, chambers of commerce, and other public and private groups, basic information and pertinent factors of interest and concern to such businesses;

5. Develop statistical reports on job creation and the general economic conditions in the Commonwealth; and

6. Annually review and provide feedback on SWaM plans. The review shall focus on strategies state agencies can use to improve SWaM spending, increase procurement of goods and services from SWaM businesses, and meet procurement goals outlined in SWaM plans. The Department shall encourage state

59 agencies to integrate such strategies with all current and future procurements. The Department shall suggest  
60 strategies that may be more effective or changes to strategies that have not been effective. Upon request of a  
61 state agency, the Department shall meet with the state agency one-on-one to discuss its SWaM goals and  
62 strategies and advise it on effective strategies. The Department shall research and compile information that  
63 state agencies can use to increase SWaM spending and shall develop and publish guidance on how state  
64 agencies can implement these strategies.

65 C. All agencies of the Commonwealth shall assist the Department upon request and furnish such  
66 information and assistance as the Department may require in the discharge of its duties.

67 **§ 2.2-1610. Reports and recommendations; collection of data.**

68 The Director shall, from time to time, submit directly or through an assistant to the Governor his  
69 recommendations for legislation or other action as he deems desirable to promote the purposes of this  
70 chapter.

71 The Director shall report, on or before November 1 of each year, to the Governor and the General  
72 Assembly the identity of the state departments and agencies failing to submit annual progress reports on  
73 small, women-owned, and minority-owned business *and employment services organizations* procurement  
74 required by § 2.2-4310 and the nature and extent of such lack of compliance. The annual report shall include  
75 recommendations on the ways to improve compliance with the provisions of § 2.2-4310 and such other  
76 related matters as the Director deems appropriate. The Department shall include in its annual report  
77 information on the progress of the mentorship program established under § 2.2-1605.1.

78 The Director, with the assistance of the Comptroller, shall develop and implement a systematic data  
79 collection process that will provide information for a report to the Governor and General Assembly on state  
80 expenditures to small, women-owned, and minority-owned businesses *and employment services*  
81 *organizations* during the previous fiscal year.

82 An institution exercising authority granted under this section shall promptly make available to the  
83 Department, upon request, copies of its procurement records, receipts, and transactions in regard to  
84 procurement from small, women-owned, and minority-owned businesses in order for the Department to  
85 ensure institution compliance with its approved reporting and certification criteria.

86 **2. That the Department of Small Business and Supplier Diversity shall amend 7VAC13 of the Virginia**  
87 **Administrative Code to reflect the intent of the General Assembly to specifically reference**  
88 **"employment services organizations" in the relevant regulations.**