

**LOST**

Senators Fort of the 39th, Orrock of the 36th, Henson of the 41st, Davenport of the 44th, Rhett of the 33rd and others offer the following amendment:

1 *Amend the Senate Transportation Committee substitute to HB 170 (LC 34 4633S) by deleting*  
2 *line 4 and inserting in lieu thereof the following:*

3 as to provide for a definition; to require the performance of a disparity study and adoption  
4 of a plan; to require an annual report from the Department of Transportation; to provide for  
5 payment

6 *By inserting between lines 28 and 29 the following:*

7 **PART IA**  
8 **SECTION 1A-1.**

9 Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries,  
10 is amended by adding a new Code section to read as follows:

11 "32-2-82.

12 (a) For purposes of this Code section, the term 'disadvantaged business enterprise' means  
13 a for profit small business concern:

14 (1) That is at least 51 percent owned by one or more individuals who are both socially  
15 and economically disadvantaged or, in the case of a corporation, in which 51 percent of  
16 the stock is owned by one or more such individuals; and

17 (2) Whose management and daily business operations are controlled by one or more of  
18 the socially and economically disadvantaged individuals who own it.

19 (b) Notwithstanding any provisions of federal law to the contrary, the department shall  
20 conduct a disparity study every three years to determine the number of disadvantaged  
21 business enterprises utilized in contracts issued by the department using state funds. Upon  
22 the completion of such study, the department shall adopt a participation plan and evaluation  
23 or scoring system which considers the findings of such study for participation of  
24 disadvantaged business enterprises for the following year."

25 *By deleting lines 31 and 32 and inserting in lieu thereof the following:*

26 Said title is further amended by adding a new Code section to read as follows: