

ACT No. 327

2018 Regular Session

HOUSE BILL NO. 591

BY REPRESENTATIVE LEGER

1 AN ACT

2 To enact Chapter 39-A of Title 51 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 51:2375 through 2377, relative to the creation of the Louisiana
4 Small Business and Entrepreneurship Council; to provide for the purpose of the
5 council; to provide for the composition; to provide for the members on the board of
6 directors; to provide for the duties of the board of directors; to provide for
7 termination; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Chapter 39-A of Title 51 of the Louisiana Revised Statutes of 1950,
10 comprised of R.S. 51:2375 through 2377, is hereby enacted to read as follows:

11 CHAPTER 39-A. LOUISIANA SMALL BUSINESS AND
12 ENTREPRENEURSHIP COUNCIL

13 §2375. Louisiana Small Business and Entrepreneurship Council; creation; board of
14 directors

15 A.(1) There is hereby created a body politic to be known as the Louisiana
16 Small Business and Entrepreneurship Council, hereinafter referred to in this Chapter
17 as the "council". The council is hereby constituted a public authority and the
18 exercise by the council of the powers conferred by this Chapter shall be deemed to
19 be performance of an essential public function. The board of directors of the council
20 shall be composed of sixteen members. The board shall consist of the secretary of
21 the Department of Economic Development or a designee and fifteen members who
22 are appointed by the governor, subject to Senate confirmation, none of whom shall

1 be a public official except for the secretary of the Department of Economic
2 Development or a designee and the secretary of state or a designee.

3 (2) The Louisiana Small Business and Entrepreneurship Council will identify
4 issues pertinent to the operations of small businesses and advise the department and
5 the governor on issues affecting the competitiveness of small businesses in
6 Louisiana. The council will advise the department on strategies to cultivate small
7 business competitiveness and strengthen entrepreneurship throughout the state. The
8 council in conjunction with the department will ensure coordination of small
9 business support between federal, state, and local agencies so as to decrease
10 duplicative regulations, rules, and requirements. The council will advise the
11 department and the governor on policies and programs that make small businesses
12 more competitive.

13 (3) The members of the board of directors shall consist of all of the
14 following:

15 (a) The secretary of the Department of Economic Development or a
16 designee.

17 (b) The Louisiana secretary of state or a designee.

18 (c) One representative submitted by the Louisiana Alliance for Economic
19 Inclusion or its successor organization.

20 (d) One representative submitted by the Louisiana Small Business
21 Development Center.

22 (e) One representative submitted by the Louisiana Business Incubation
23 Association.

24 (f) One representative submitted by the Louisiana Bankers Association.

25 (g) One member representing the Louisiana venture capital industry or the
26 Louisiana angel investor community.

27 (h) One member who is appointed from a list of three private sector
28 individuals submitted by the National Federation of Independent Business.

29 (i) One member who is appointed from a list of three private sector
30 individuals submitted by the Louisiana Association of Business and Industry.

1 (j) One minority small business owner who is appointed by the governor
2 from a list of three private sector individuals submitted by Louisiana-based
3 organizations representing minority business interests.

4 (k) One female small business owner who is appointed by the governor from
5 a list of three private sector individuals submitted by Louisiana-based organizations
6 representing women's business interests.

7 (l) Five at-large members representing small business interests appointed by
8 the governor.

9 B. The secretary of the Department of Economic Development or a designee
10 shall serve a term coterminous with his term in office. The remaining members shall
11 serve four-year terms, except that of the initial appointments, three shall be for
12 two-year terms, three shall be for three-year terms, and two shall be for four-year
13 terms. Vacancies shall be filled in the manner of original appointment.

14 C. The domicile of the council is Baton Rouge, Louisiana.

15 D. The council is governed and its powers exercised by the members of the
16 council. The secretary of the Department of Economic Development shall serve as
17 president of the council, and he or his designee shall be a member of the board of
18 directors.

19 E. A majority of the appointed members of the board, including the
20 secretary, shall constitute a quorum.

21 F. Members of the board shall serve without compensation, but each member
22 is entitled to reimbursement of actual and necessary expenses incurred in the
23 performance of official duties in accordance with state travel regulations.

24 G. The board shall annually elect a chairman and such other officers as may
25 be deemed necessary.

26 §2376. Duties and objectives; reporting

27 The duties and objectives of the members of the council shall include but are
28 not limited to the following:

29 (1) Continual research and development of recommendations with regard to
30 regulatory and licensing issues.

1 (2) Continual research and development of recommendations with regard to
2 access to capital strategies which directly impact the rate of entrepreneurship and
3 small business growth.

4 (3) Development of a report on the state of small business in Louisiana and
5 a report on the department's small business programs, including but not limited to the
6 following:

7 (a) The number of small businesses operating in Louisiana and a geographic
8 breakdown of the number of small businesses by economic development region.

9 (b) Demographic information on small business ownership in Louisiana.

10 (c) A full accounting of the small business resources available in Louisiana
11 in the categories of technical assistance, networking, access to capital, incentives,
12 and state government procurement opportunities.

13 (d) A catalog of all services provided by the department and its small
14 business services partners, and for each program the number of businesses served,
15 relevant performance metrics, and recommendations for improvement, if any.

16 (e) The report shall be developed annually and shall be provided to the
17 legislature at least sixty days prior to the start of the regular legislative session.

18 §2377. Termination of Chapter

19 The provisions of this Chapter shall terminate on June 30, 2022, and
20 thereafter shall be null, void, and without effect.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____