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## Exempt Action Final Regulation Agency Background Document

<b>Agency name</b>	Department of Small Business and Supplier Diversity
<b>Virginia Administrative Code (VAC) citation(s)</b>	7VAC13-20
<b>Regulation title(s)</b>	Regulations to Govern the Certification of Small, Women- and Minority-Owned Businesses
<b>Action title</b>	Regulations to Govern the Certification of Small, Women- and Minority-Owned Businesses
<b>Final agency action date</b>	June 22, 2016
<b>Date this document prepared</b>	June 22, 2016

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA) or an agency's basic statute, the agency is not required, however, is encouraged to provide information to the public on the Regulatory Town Hall using this form. Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 17 (2014) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

### Brief summary

*Please provide a brief summary of the proposed new regulation, proposed amendments to the existing regulation, or the regulation proposed to be repealed. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.*

The Department of Small Business and Supplier Diversity was created January 1, 2014 by the merger of the Departments of Minority Business Enterprise and Business Assistance. The Department of Minority Business Enterprise (DMBE) formerly administered the certification of Small, Women- and Minority Owned (SWaM) businesses. This certification process was governed by the Regulations to Govern the Certification of Small, Women- and Minority-Owned Businesses, 7 VAC 10-21. Because DMBE no longer exists, the new agency, the Department of Small Business and Supplier Diversity (DSBSD), has submitted a regulatory action to revise and update the Regulations to Govern the Certification of Small, Women- and Minority-Owned Businesses. This new regulation will be listed in the Virginia Administrative Code as 7 VAC 13-20.

The purposes of this 7 VAC 13-20 are (i) to establish minimum requirements for the certification of small, women- and minority-owned (SWaM) businesses pursuant to Chapter 16.1 (§ 2.2-1603 et seq.) of Title 2.2 of the Code of Virginia and (ii) to provide a process for evaluating local, state, private sector, and federal certification programs that meet those requirements.

### Statement of final agency action

*Please provide a statement of the final action taken by the agency including: 1) the date the action was taken; 2) the name of the agency taking the action; and 3) the title of the regulation.*

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On June 22, 2016, the Department of Small Business and Supplier Diversity submitted this regulatory action to promulgate 7 VAC 13-20, Regulations to Govern the Certification of Small, Women- and Minority-Owned Businesses.

### Family impact

*Please assess the impact of this regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

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The Department of Small Business and Supplier Diversity does not anticipate any adverse impacts that this regulatory action could have on the institution of the family and family stability. However, the Department does anticipate that this regulatory action could result in beneficial impacts on the institution of the family and family stability. For example, in facilitating the prosperity of Small, Women- and Minority-Owned (SWaM) Businesses, this regulatory action could to some extent 1) strengthen the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen the marital commitment; and 4) increase disposable family income.