

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE SENATE BILL 5652

Chapter 322, Laws of 2007

60th Legislature
2007 Regular Session

MICROENTERPRISE DEVELOPMENT PROGRAM

EFFECTIVE DATE: 07/22/07

Passed by the Senate April 16, 2007
YEAS 45 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 9, 2007
YEAS 83 NAYS 15

FRANK CHOPP

Speaker of the House of Representatives

Approved May 4, 2007, 4:26 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE SENATE BILL 5652** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 7, 2007

**Secretary of State
State of Washington**

SECOND SUBSTITUTE SENATE BILL 5652

AS AMENDED BY THE HOUSE

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Kauffman, Kastama, Kilmer, Brown, Berkey, Rockefeller, Keiser and Shin)

READ FIRST TIME 02/23/07.

1 AN ACT Relating to microenterprise development; amending RCW
2 43.330.010; adding a new section to chapter 43.330 RCW; and creating
3 new sections.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

6 (a) Microenterprises are an important portion of Washington's
7 economy, providing approximately twenty percent of the employment in
8 Washington and playing a vital role in job creation.

9 (b) While community-based microenterprise development organizations
10 have expanded their assistance to their microentrepreneur customers in
11 recent years, there remains a lack of access to capital, training, and
12 technical assistance for low-income microentrepreneurs.

13 (c) Support for microenterprise development offers a means to
14 expand business and job creation in low-income communities in both
15 rural and urban areas of the state.

16 (d) Local and state charitable foundation support, federal program
17 funding, and private sector support can be leveraged by a statewide
18 program for development of microenterprises.

1 (2) It is the purpose of this act to assist microenterprises in job
2 creation by increasing the training, technical assistance, and
3 financial resources available to microenterprises. It is the intention
4 of the legislature to carry out this purpose by enabling the department
5 of community, trade, and economic development to contract with a
6 statewide microenterprise association with the potential to provide
7 organizational support and administer grants to local microenterprise
8 development organizations, subject to the requirements of this act, and
9 to leverage additional funds from sources other than moneys
10 appropriated from the general fund.

11 **Sec. 2.** RCW 43.330.010 and 1993 c 280 s 3 are each amended to read
12 as follows:

13 Unless the context clearly requires otherwise, the definitions in
14 this section apply throughout this chapter.

15 (1) "Associate development organization" means a local economic
16 development nonprofit corporation that is broadly representative of
17 community interests.

18 (2) "Department" means the department of community, trade, and
19 economic development.

20 (3) "Director" means the director of the department of community,
21 trade, and economic development.

22 (4) "Financial institution" means a bank, trust company, mutual
23 savings bank, savings and loan association, or credit union authorized
24 to do business in this state under state or federal law.

25 (5) "Microenterprise development organization" means a community
26 development corporation, a nonprofit development organization, a
27 nonprofit social services organization or other locally operated
28 nonprofit entity that provides services to low-income entrepreneurs.

29 (6) "Statewide microenterprise association" means a nonprofit
30 entity with microenterprise development organizations as members that
31 serves as an intermediary between the department of community, trade,
32 and economic development and local microenterprise development
33 organizations.

34 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.330 RCW
35 to read as follows:

1 The microenterprise development program is established in the
2 department of community, trade, and economic development. In
3 implementing the program, the department:

4 (1) Shall provide organizational support to a statewide
5 microenterprise association and shall contract with the association for
6 the delivery of services and distribution of grants;

7 (a) The association shall serve as the department's agent in
8 carrying out the purpose and service delivery requirements of this
9 section;

10 (b) The association's contract with the department shall specify
11 that in administering the funds provided for under subsection (3) of
12 this section, the association may use no greater than ten percent of
13 the funds to cover administrative expenses;

14 (2) Shall provide funds for capacity building for the statewide
15 microenterprise association and microenterprise development
16 organizations throughout the state;

17 (3) Shall provide grants to microenterprise development
18 organizations for the delivery of training and technical assistance
19 services;

20 (4) Shall identify and facilitate the availability of state,
21 federal, and private sources of funds which may enhance microenterprise
22 development in the state;

23 (5) Shall develop with the statewide microenterprise association
24 criteria for the distribution of grants to microenterprise development
25 organizations. Such criteria may include:

26 (a) The geographic representation of all regions of the state,
27 including both urban and rural communities;

28 (b) The ability of the microenterprise development organization to
29 provide business development services in low-income communities;

30 (c) The scope of services offered by a microenterprise development
31 organization and their efficiency in delivery of such services;

32 (d) The ability of the microenterprise development organization to
33 monitor the progress of its customers and identify technical and
34 financial assistance needs;

35 (e) The ability of the microenterprise development organization to
36 work with other organizations, public entities, and financial
37 institutions to meet the technical and financial assistance needs of
38 its customers;

1 (f) The sufficiency of operating funds for the microenterprise
2 development organization; and

3 (g) Such other criteria as agreed by the department and the
4 association;

5 (6) Shall require the statewide microenterprise association and any
6 microenterprise development organization receiving funds through the
7 microenterprise development program to raise and contribute to the
8 effort funded by the microenterprise development program an amount
9 equal to twenty-five percent of the microenterprise development program
10 funds received. Such matching funds may come from private foundations,
11 federal or local sources, financial institutions, or any other source
12 other than funds appropriated from the legislature;

13 (7) Shall require under its contract with the statewide
14 microenterprise association an annual accounting of program outcomes,
15 including job creation, access to capital, leveraging of nonstate
16 funds, and other outcome measures specified by the department. By
17 January 1, 2012, the joint legislative audit and review committee shall
18 use these outcome data and other relevant information to evaluate the
19 program's effectiveness; and

20 (8) May adopt rules as necessary to implement this section.

21 NEW SECTION. **Sec. 4.** If specific funding for the purposes of this
22 act, referencing this act by bill or chapter number, is not provided by
23 June 30, 2007, in the omnibus appropriations act, this act is null and
24 void.

Passed by the Senate April 16, 2007.

Passed by the House April 9, 2007.

Approved by the Governor May 4, 2007.

Filed in Office of Secretary of State May 7, 2007.