

THE BUSINESS OPPORTUNITY ACT FOR PERSONS WITH DISABILITIES (EXCERPT)
Act 112 of 1988

450.792 Definitions.

Sec. 2. As used in this act:

(a) "Business owned by persons with disabilities" means a business in which all of the following apply:

(i) More than 50% of the voting shares or interest in the business is owned, controlled, and operated by 1 or more persons with disabilities.

(ii) More than 50% of the net profit or loss attributable to the business accrues to shareholders who are persons with disabilities.

(iii) More than 50% of the employees of the business are residents of this state.

(b) "Controlled" means exercising the power to make policy decisions in a business.

(c) "Department" means a principal department of the executive branch of the state government.

(d) "Disability" means a determinable physical or mental impairment of an individual or the history of an impairment that may result from disease, injury, congenital condition of birth, or functional disorder.

(e) "Expenditures" means payments and contracts for goods, services, and construction which may be acquired competitively and are not regulated by separate authority, and, where the department acts as the sole or primary contracting officer and has selective discretion as to the supplier, vendor, or contractor. This definition does not apply to expenditures by the department of transportation for road and bridge construction projects which receive federal funds under section 112(b) of title 23 of the United States Code, 23 U.S.C. 112, 23 C.F.R. 635.104(a), and other applicable federal law until federal law recognizes small businesses owned by persons with disabilities.

(f) "Joint venture" means an agreement that combines 2 or more businesses for specified purposes involving 1 or more businesses owned by persons with disabilities and 1 or more businesses other than a business owned by persons with disabilities.

(g) "Operated" means the activity of being involved in the day-to-day management of a business.

(h) "Person" means an individual, sole proprietorship, partnership, association, or corporation.

(i) "Person with disabilities" means an individual with 1 or more disabilities.

(j) "Subcontract" means an agreement to share a prime contract between a prime contractor and a business owned by persons with disabilities.

History: 1988, Act 112, Eff. Mar. 30, 1989;—Am. 1998, Act 73, Imd. Eff. May 4, 1998.