

115TH CONGRESS
1ST SESSION

S. 929

To improve the HUBZone program.

IN THE SENATE OF THE UNITED STATES

APRIL 25, 2017

Mrs. SHAHEEN introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

A BILL

To improve the HUBZone program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Invest in Rural Small
5 Business Act of 2017”.

6 **SEC. 2. FLEXIBILITY FOR RESIDENCY IN HUBZONES.**

7 Section 3(p)(5)(A)(i)(I) of the Small Business Act
8 (15 U.S.C. 632(p)(5)(A)(i)(I)) is amended by striking “35
9 percent” each place that term appears and inserting “33
10 percent”.

1 **SEC. 3. ENABLING LOCAL COMMUNITIES TO MAXIMIZE**
 2 **ECONOMIC POTENTIAL.**

3 The Small Business Act (15 U.S.C. 631 et seq.) is
 4 amended—

5 (1) in section 3(p)(1) (15 U.S.C. 632(p)(1))—

6 (A) in subparagraph (E), by striking “or”
 7 at the end;

8 (B) by redesignating subparagraph (F) as
 9 subparagraph (G); and

10 (C) by inserting after subparagraph (E)
 11 the following:

12 “(F) another qualified area designated by
 13 the Administrator under section 31(d); or”; and

14 (2) in section 31 (15 U.S.C. 657a)—

15 (A) by redesignating subsection (d) as sub-
 16 section (e); and

17 (B) by inserting after subsection (c) the
 18 following:

19 “(d) OTHER QUALIFIED AREAS.—

20 “(1) DEFINITIONS.—In this subsection—

21 “(A) the term ‘covered area’ means an
 22 area in a State—

23 “(i) that is located outside of an ur-
 24 banized area, as determined by the Bureau
 25 of the Census; and

1 “(ii) with a population of not more
2 than 50,000;

3 “(B) the term ‘governor’ means the chief
4 executive of a State; and

5 “(C) the term ‘State’ means each of the
6 several States, the District of Columbia, the
7 Commonwealth of Puerto Rico, the Virgin Is-
8 lands, Guam, the Commonwealth of the North-
9 ern Mariana Islands, and American Samoa.

10 “(2) DESIGNATION.—A governor may petition
11 the Administrator to designate one or more covered
12 areas as a HUBZone if the average unemployment
13 rate of each covered area is not less than 120 per-
14 cent of the average unemployment rate of the United
15 States or of the State in which the covered area is
16 located, whichever is less, based on the most recent
17 data available from the American Community Sur-
18 vey conducted by the Bureau of the Census.

19 “(3) CRITERIA.—In reviewing a petition sub-
20 mitted by a governor under paragraph (2), the Ad-
21 ministrator may consider—

22 “(A) the potential for job creation and in-
23 vestment;

24 “(B) the demonstrated interest of small
25 business concerns in the covered area to partici-

1 pate in the HUBZone program established
2 under section 31; and

3 “(C) the consideration by State and local
4 government officials of a HUBZone as part of
5 an economic development strategy.

6 “(4) PETITION.—With respect to a petition
7 submitted by a governor to the Administrator under
8 paragraph (2)—

9 “(A) the governor may submit not more
10 than 1 petition in a fiscal year unless the Ad-
11 ministrator determines that an additional peti-
12 tion from the State of the governor is appro-
13 priate;

14 “(B) the governor may not submit a peti-
15 tion for more than 10 percent of the total num-
16 ber of covered areas in the State of the gov-
17 ernor; and

18 “(C) if the Administrator grants the peti-
19 tion and designates one or more covered areas
20 as a HUBZone, the governor shall, not less fre-
21 quently than annually, submit data to the Ad-
22 ministrator certifying that each covered area
23 continues to meet the requirements of clauses
24 (i) and (ii) of paragraph (1)(A).

1 “(5) PROCESS.—The Administrator shall estab-
2 lish procedures—

3 “(A) to ensure that the Administration ac-
4 cepts petitions under paragraph (2) from all
5 States each fiscal year; and

6 “(B) to provide technical assistance, before
7 the filing of a petition under paragraph (2), to
8 a governor who is interested in filing such a pe-
9 tition.”.

10 **SEC. 4. ENSURING TIMELY CONSIDERATION OF HUBZONE**
11 **APPLICATIONS.**

12 Section 3(p)(5) of the Small Business Act (15 U.S.C.
13 632(p)(5)) is amended by adding at the end the following:

14 “(C) REVIEW OF APPLICATIONS.—Not
15 later than 60 days after the date on which the
16 Administrator receives an application from a
17 small business concern to be certified as a
18 qualified HUBZone small business concern
19 under subparagraph (A)(i), the Administrator
20 shall approve or deny the application.”.

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