

Governor Phil Murphy

ICYMI: State Launches LGBTQ+-Owned Business Certification Process

04/5/2023

Certification Designed to Open Doors to Contract Opportunities at the Federal, State and Local Levels

TRENTON – Following up on an Executive Order 295 ([https://urldefense.com/v3/__https://t.e2ma.net/click/z8yqcj/7ys5259b/nv0952__!!J30X0ZrnC1oQtbA!IKtyJ2H5zKef9hOY-trNC3PQ_EyrLWNz2zRL7ei-yDOedyHCcCRFA7-9ugP2O4PKtriYVnmMSENk1TjMgpt13fot\\$](https://urldefense.com/v3/__https://t.e2ma.net/click/z8yqcj/7ys5259b/nv0952__!!J30X0ZrnC1oQtbA!IKtyJ2H5zKef9hOY-trNC3PQ_EyrLWNz2zRL7ei-yDOedyHCcCRFA7-9ugP2O4PKtriYVnmMSENk1TjMgpt13fot$)) issued last year establishing a state-backed certification for LGBTQ+-owned businesses, Governor Phil Murphy and Treasurer Elizabeth Maher Muoio announced today that the Department of the Treasury has opened up a certification portal and has begun accepting registrations.

The new certification is designed to help LGBTQ+ - owned businesses grow and thrive by opening doors to pursue contracting opportunities at the local, state, and federal level, as well as with the private sector.

"I was proud to sign an executive order establishing state-backed certification for LGBTQ+ owned businesses and I am thrilled to see that action become reality with the opening of the certification portal," **said Governor Murphy**. "These certifications will support the LGBTQ+ community by enhancing economic opportunities while providing them with a stronger foothold that allows for authenticity and visibility for their businesses. In New Jersey, we wear our diversity as a badge of honor, and this certification furthers our commitment to the LGBTQ+ community by supporting them in their entrepreneurial endeavors."

"I am immensely proud of the work we've done in New Jersey to open up opportunities to underrepresented communities," **said Treasurer Muoio**. "With this new certification program, we will be able to encourage and support LGBTQ+ business owners as we do small, minority and women owned businesses, as well as those owned by veterans, to ensure that they're readily identified and able to pursue contracting opportunities throughout the state."

"The NJ Pride Chamber has been waiting for this day for a long time, and we greatly appreciate all the work the Murphy administration and Treasury have done to make the launch of the certification process possible," **said Gus Penaranda Executive Director of the New Jersey Pride Chamber of Commerce**.

"Today, we are another step closer to lived equality with the opening of the certification portal for LGBTQ+ businesses," **said Christian Fuscarino, Executive Director of Garden State Equality**. "This process will ensure that LGBTQ+ people who have been historically overlooked for opportunities because of discrimination and exclusionary practices will have a fair shot in running a thriving business. We are thankful to the Murphy administration for staying true to their mission of a stronger and fairer economy and ensuring that queer and Trans people are included in that vision."

In order to qualify as a LGBTQ+-owned business, the business must be a sole proprietorship, partnership, joint venture, corporation, or other business, which is at least 51 percent owned, operated, and controlled by persons who identify as LGBTQ+. The business must also be considered a "going concern" with sufficient resources needed to continue operating indefinitely by normal industry standards.

Other criteria are as follows:

- **Ownership.** A business shall be deemed to be independently owned, operated, and controlled, if its management, as specified in its certification application, is responsible for both its daily and long-term operation, and that management owns at least 51 percent interest in the business and consists of individuals who identify as LGBTQ+. The ownership and control by members of the LGBTQ+ community shall be real, substantial, and continuing, demonstrating authority over the affairs of the business, and shall go beyond the pro forma ownership of the business as reflected in its ownership documents.
- **Business Entity.** Recognition of the business as a separate entity for tax or corporate purposes is not necessarily sufficient for recognition as an LGBTQ+ business. In determining whether a potential LGBTQ+ business is an independent business, all relevant factors shall be considered, including the date the business was established and the degree to which financial, equipment leasing, and other relationships with non-LGBTQ+ businesses vary from industry practice.
- **Licensing.** When a professional or occupational license or certification is required by Federal or State law to perform the primary business operations of the applicant business, and the LGBTQ+ business does not possess the applicable license or certification, the LGBTQ+ owner shall demonstrate competence in the affairs of the business, in order to satisfy the requirement for managerial and operational control.

Once a business has obtained certification, its contact information will be posted to a public database called Selective Assistance Vendor Information (SAVI), which is available for use by all contracting authorities.

The certification process is live and may be accessed online here. The \$100 fee normally charged for certification has been waived indefinitely.

Governor Phil Murphy

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