

Definitions

A. Business Interruption

Business interruption refers to the disruptions of regular business operations resulting from required closure, voluntary closure or reduced demand related to COVID-19 which occurred during the eligible period of May1, 2020 through August 31, 2020.

B. Disabled Business Enterprise

Businesses owned by persons with disabilities means "a business that is a continuing, independent, for profit business which performs a commercially useful function and is at least fifty-one percent (51%) owned and controlled by one (1) or more persons with a disability; or, in the case of any publicly owned business, at least fifty-one percent (51%) of the stock of which is owned and controlled by one (1) or more persons with a disability and whose management and daily business operations are under the control of one (1) or more persons with a disability".

C. Diversity Business Enterprise

The State of TN considers a diversity business enterprise as any entity classified as a minority business enterprise, Women Business Enterprise, Disabled Business Enterprise or Service – Disabled Veteran Business Enterprise. For the purpose of this program, the guidance from the state of TN Diversity Business Enterprise Program will be followed.

D. Domestic Business in the State of Tennessee

Domestic business shall mean the following for each type of eligible business as of August 31, 2020:

1. For a for-profit corporation, it means that the business was legally formed in the State of Tennessee and properly filed its Articles of Incorporation with the Tennessee Secretary of State's office.
2. For a limited liability company, it means that the business was legally formed in the State of Tennessee and properly filed its Certificate of Formation with the Tennessee Secretary of State's office.
3. For a limited partnership, it means a business the was legally formed in the State of Tennessee with its Certificate of Formation filed with the Tennessee Secretary of State's office.

4. For a general partnership, it means that a partner owning more than 50% of the partnership interests resides in Tennessee and the business' principal place of business and general operations are in the State of Tennessee.
5. For a sole proprietorship, it means that the owner resides in Tennessee and the business' principal place of business and general operations are in the State of Tennessee.

E. Eligible Small Businesses

Only qualified small businesses with annual gross sales of \$10M or less will be eligible to apply to receive reimbursement under the program. Additionally, to be eligible, businesses must meet the following requirements:

1. As of August 31, 2020, is a Domestic Business in the State of Tennessee or is a business formed in another state that primarily operates in Tennessee with at least one physical location in Tennessee.
2. Is not a subsidiary of a business with consolidated annual revenues(receipts) in excess of \$10 million.
3. Is registered with the Secretary of State, registered with the Department of Revenue, or files a federal Schedule C as of August 31, 2020.
4. Has been operational since April 1, 2020, with the exception of temporary closures due to COVID-19 and can provide available documentation that shows the business has been in operation for that time period.
5. Provides proof of economic hardship due to COVID-19 related interruption of business or has eligible direct business expenses due to COVID-19.
6. Has not engaged in any illegal activity per local, state or federal laws or regulations, with federal compliance taking precedence over local or state compliance.
7. Does not exist for the purpose of advancing partisan or other political activities, such as directly lobbying federal or state officials.
8. Is a for-profit entity or a 501(c)(3) or 501(c)(19) not-for-profit entity.
9. Has not already received an award under the Supplemental Employer Recovery Grant Program.

F. Minority Business Enterprise

A minority business enterprise is a business that is a continuing, independent, for profit business which performs a commercially useful function and is at least 51% owned and controlled by one or more minority individuals who are impeded from normal entry into the economic mainstream because of past practices of discrimination based on race or ethnic background. A minority is generally defined as an individual who is African American, Asian American, Hispanic American, or Native American.

G. Service – Disabled Veteran Business Enterprise

“Tennessee Service-Disabled Veteran owned business” mean any person who Served honorably on active duty in the armed forces of the United States with at least a twenty percent (20%) disability that is service-connected meaning that such disability was incurred or aggravated in the line of duty in the active military, naval or air service. Tennessee Service-Disabled owned Veteran means a service-disabled owned business that is a continuing, independent, for profit business located in the state of Tennessee that performs a commercially useful function, and: (a) Is at least fifty-one percent (51%) owned and controlled by one (1) or more service-disabled owned veterans; (b) In the case of a business solely owned by one (1) service-disabled veteran and such person’s spouse, is at least fifty percent (50) owned and controlled by the service-disabled veteran; or (c) In the case of any publicly owned business, at least fifty-one percent (51%) of the stock of which is owned and controlled by one (1) or more service-disabled veteran and whose management and daily business operations are under the control of one (1) or more service disabled veteran.

H. Women Business Enterprise

A woman owned business enterprise that is a continuing, independent, for profit business which performs a commercially useful function and is at least 51% owned and controlled by one or more women; or in the case of any publicly owned business, at least fifty one percent (51%) of the stock of which is owned and controlled by one or more women.