

1 A bill to be entitled
 2 An act relating to contracting by state agencies;
 3 providing a goal for governmental contracts with disabled-
 4 veteran business enterprises; defining terms; providing
 5 for businesses to be certified; providing duties of the
 6 Department of Veterans' Affairs and the Department of
 7 Management Services; requiring an annual report to
 8 legislative leaders; providing an effective date.

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 10 Be It Enacted by the Legislature of the State of Florida:

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 12 Section 1. Disabled-veteran business enterprises; state
 13 contracting goals; definitions; certification of businesses;
 14 duties of Department of Veterans' Affairs and Department of
 15 Management Services.--

16 (1) The statewide goal for each state agency or political
 17 subdivision of the state in awarding contracts for construction,
 18 professional services, materials, supplies, equipment,
 19 alterations, repairs, or improvements is that each such entity
 20 should award to disabled-veteran business enterprises contracts
 21 having no less than 3 percent of the overall dollar amount that
 22 the entity expends each year on all such contracts to which the
 23 entity is a party.

24 (2) As used in this section, the term:

25 (a) "Disabled veteran" means a veteran as defined in s.
 26 1.01, Florida Statutes, who has a service-connected disability
 27 of 10 percent or greater as certified by the United States
 28 Department of Veterans Affairs, its predecessor agencies, or a

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29 branch of the armed forces.

30 (b) "Disabled-veteran business enterprise" means a
31 business entity, however organized, which is certified as such
32 an enterprise by the Department of Management Services. The
33 business must:

34 1. Be at least 51-percent owned by a disabled veteran, and
35 the management and control of the daily business operations must
36 be exercised by one or more disabled veterans. The veterans who
37 exercise the management and control need not be the owners of
38 the business; and

39 2. Have its home office located in the United States and
40 must not be a branch or subsidiary of a foreign corporation,
41 foreign firm, or other foreign-based business.

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43 If a disabled veteran who is a majority owner of a business that
44 qualified as a disabled-veteran business enterprise dies or is
45 certified as having a permanent medical disability and the
46 business is inherited or controlled by the spouse of that
47 majority owner, the business remains a disabled-veteran business
48 enterprise after the death or certification of permanent medical
49 disability, as long as the spouse does not remarry.

50 (c) "Foreign corporation," "foreign firm," or "foreign-
51 based business" means a business entity that is incorporated or
52 has its principal headquarters located outside the United States
53 of America.

54 (3) By October 1, 2006, the Department of Veterans'
55 Affairs shall publish on its website and in such other
56 publications as are most likely to be accessed by veterans a

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57 copy of this act and information relating to procedures that a
58 business owner must follow to obtain certification as a
59 disabled-veteran business enterprise.

60 (4) An applicant for certification as a disabled-veteran
61 business enterprise must submit to the Department of Management
62 Services, in a form authorized by the department, documentation
63 that the business satisfies the criteria set forth in subsection
64 (2). The department shall publish on its website a list of
65 certified disabled-veteran business enterprises.

66 (5) (a) Each state agency or political subdivision of state
67 government shall submit quarterly to the Department of
68 Management Services a list of contracts awarded to certified
69 disabled-veteran business enterprises, together with the total
70 amounts paid during that quarter to such businesses and the
71 total amounts paid to all business entities with which the
72 department has a contract.

73 (b) The department shall compile the records submitted
74 under paragraph (a) and annually shall notify each state agency
75 or political subdivision of the state as to whether or not it
76 has met the goal set forth in subsection (1) and shall report to
77 the Department of Veterans' Affairs, the President of the
78 Senate, and the Speaker of the House of Representatives the
79 extent to which each agency and subdivision has met that goal.

80 Section 2. This act shall take effect July 1, 2006.