Florida Senate - 2006

By Senator Fasano

11-792-06

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1	A bill to be entitled
2	An act relating to contracting by state
3	agencies; providing a goal for governmental
4	contracts with disabled-veteran business
5	enterprises; defining terms; providing for
б	businesses to be certified; providing duties of
7	the Department of Veterans' Affairs and the
8	Department of Management Services; requiring an
9	annual report to legislative leaders; providing
10	an effective date.
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12	Be It Enacted by the Legislature of the State of Florida:
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14	Section 1. <u>Disabled-veteran business enterprises;</u>
15	state contracting goals; definitions; certification of
16	businesses; duties of Department of Veterans' Affairs and
17	Department of Management Services
18	(1) The statewide goal for each state agency or
19	political subdivision of the state in awarding contracts for
20	construction, professional services, materials, supplies,
21	equipment, alterations, repairs, or improvements is that each
22	such entity should award to disabled-veteran business
23	enterprises contracts having no less than 3 percent of the
24	overall dollar amount that the entity expends each year on all
25	such contracts to which the entity is a party.
26	(2) As used in this section, the term:
27	<u>(a) "Disabled veteran" means a veteran as defined in</u>
28	s. 1.01, Florida Statutes, who has a service-connected
29	disability of 10 percent or greater as certified by the United
30	States Department of Veterans Affairs, its predecessor
31	agencies, or a branch of the armed forces.
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1	(b) "Disabled-veteran business enterprise" means a
2	business entity, however organized, which is certified as such
3	an enterprise by the Department of Management Services. The
4	business must:
5	1. Be at least 51-percent owned by a disabled veteran,
б	and the management and control of the daily business
7	operations must be exercised by one or more disabled veterans.
8	The veterans who exercise the management and control need not
9	be the owners of the business; and
10	2. Have its home office located in the United States
11	and must not be a branch or subsidiary of a foreign
12	corporation, foreign firm, or other foreign-based business.
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14	If a disabled veteran who is a majority owner of a business
15	that qualified as a disabled-veteran business enterprise dies
16	or is certified as having a permanent medical disability and
17	the business is inherited or controlled by the spouse of that
18	majority owner, the business remains a disabled-veteran
19	business enterprise after the death or certification of
20	permanent medical disability, as long as the spouse does not
21	remarry.
22	(c) "Foreign corporation," "foreign firm," or
23	"foreign-based business" means a business entity that is
24	incorporated or has its principal headquarters located outside
25	the United States of America.
26	(3) By October 1, 2006, the Department of Veterans'
27	Affairs shall publish on its website and in such other
28	publications as are most likely to be accessed by veterans a
29	copy of this act and information relating to procedures that a
30	business owner must follow to obtain certification as a
31	<u>disabled-veteran business enterprise.</u>

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1	(4) An applicant for certification as a
2	disabled-veteran business enterprise must submit to the
3	Department of Management Services, in a form authorized by the
4	department, documentation that the business satisfies the
5	criteria set forth in subsection (2). The department shall
б	publish on its website a list of certified disabled-veteran
7	business enterprises.
8	(5)(a) Each state agency or political subdivision of
9	state government shall submit quarterly to the Department of
10	Management Services a list of contracts awarded to certified
11	disabled-veteran business enterprises, together with the total
12	amounts paid during that quarter to such businesses and the
13	total amounts paid to all business entities with which the
14	department has a contract.
15	(b) The department shall compile the records submitted
16	under paragraph (a) and annually shall notify each state
17	agency or political subdivision of the state as to whether or
18	not it has met the goal set forth in subsection (1) and shall
19	report to the Department of Veterans' Affairs, the President
20	of the Senate, and the Speaker of the House of Representatives
21	the extent to which each agency and subdivision has met that
22	goal.
23	Section 2. This act shall take effect July 1, 2006.
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26	SENATE SUMMARY
27	Provides a goal for state agencies and political subdivisions of the state to meet in contracting with
28	disabled-veteran business enterprises. Defines terms. Provides for businesses to be certified as
29	disabled-veteran business enterprises. Provides duties of the Department of Veterans' Affairs and the Department of
30	Management Services. Requires an annual report to legislative leaders.
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