

By Senator Fasano

11-155-07

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

6 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. Disabled-veteran business enterprises;

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 for each

22 such entity to award to disabled-veteran business enterprises

23 contracts having no less than 3 percent of the overall dollar

24 amount that the entity expends each year on all such contracts

25 to which the entity is a party.

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

27 (a) "Disabled veteran" means a veteran as defined in

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.

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,
6 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 corporation, firm,
12 or other business that is incorporated or has its principal
13 headquarters located outside the United States.

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15 If a disabled veteran who is a majority owner of a business
16 that qualified as a disabled-veteran business enterprise dies
17 or is certified as having a permanent medical disability and
18 the business is inherited or controlled by the spouse of that
19 majority owner, the business remains a disabled-veteran
20 business enterprise after the death or certification of
21 permanent medical disability, as long as the spouse does not
22 remarry.

23 (3) By October 1, 2007, the Department of Veterans'
24 Affairs shall publish on its website and in other publications
25 that are most likely to be accessed by veterans a copy of this
26 act and information relating to procedures that a business
27 owner must follow to obtain certification as a
28 disabled-veteran business enterprise.

29 (4) An applicant for certification as a
30 disabled-veteran business enterprise must submit to the
31 Department of Management Services, in a form authorized by the

1 department, documentation that the business satisfies the
2 criteria in subsection (2). The department shall publish on
3 its website a list of certified disabled-veteran business
4 enterprises.

5 (5)(a) Each state agency or political subdivision of
6 state government shall submit quarterly to the Department of
7 Management Services a list of contracts awarded to certified
8 disabled-veteran business enterprises, together with the total
9 amounts paid during that quarter to such businesses and the
10 total amounts paid to all business entities with which the
11 department has a contract.

12 (b) The department shall compile the records submitted
13 and annually shall notify each state agency or political
14 subdivision of the state whether it has met the goal in
15 subsection (1) and shall report to the Department of Veterans'
16 Affairs, the President of the Senate, and the Speaker of the
17 House of Representatives the extent to which each agency and
18 subdivision has met that goal.

19 Section 2. This act shall take effect July 1, 2007.

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22 SENATE SUMMARY

23 Provides a goal for state agencies and political
24 subdivisions of the state to meet in contracting with
25 disabled-veteran business enterprises. Defines terms.
26 Provides for businesses to be certified as
27 disabled-veteran business enterprises. Provides duties of
28 the Department of Veterans' Affairs and the Department of
29 Management Services. Requires an annual report to
30 legislative leaders.
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