

By Senator Fasano

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1 A bill to be entitled

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

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

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

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

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

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

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30 branch of the armed forces.

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

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

40 2. Have its home office located in the United States and  
41 must not be a branch or subsidiary of a corporation, firm, or  
42 other business that is incorporated or has its principal  
43 headquarters located outside the United States.

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

52 (3) By October 1, 2008, the Department of Veterans' Affairs  
53 shall publish on its website and in other publications that are  
54 most likely to be accessed by veterans a copy of this act and  
55 information relating to procedures that a business owner must  
56 follow in order to obtain certification as a disabled veteran  
57 business enterprise.

58 (4) An applicant for certification as a disabled veteran

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59 business enterprise must submit to the Department of Management  
60 Services, in a form authorized by the department, documentation  
61 that the business satisfies the criteria in subsection (2). The  
62 department shall publish on its website a list of certified  
63 disabled veteran business enterprises.

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

71 (b) The department shall compile the records submitted and  
72 shall annually notify each state agency or political subdivision  
73 of the state whether it has met the goal in subsection (1) and  
74 report to the Department of Veterans' Affairs, the President of  
75 the Senate, and the Speaker of the House of Representatives the  
76 extent to which each agency and subdivision has met that goal.

77 Section 2. This act shall take effect July 1, 2008.