

FIRST REGULAR SESSION

# SENATE BILL NO. 180

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR KRAUS.

Read 1st time January 22, 2013, and ordered printed.

TERRY L. SPIELER, Secretary.

1109S.011

## AN ACT

To repeal section 34.074, RSMo, and to enact in lieu thereof one new section relating to service-disabled veteran business contracts.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 34.074, RSMo, is repealed and one new section enacted  
2 in lieu thereof, to be known as section 34.074, to read as follows:

34.074. 1. As used in this section, the term "service-disabled veteran"  
2 means any individual who is disabled as certified by the appropriate federal  
3 agency responsible for the administration of veterans' affairs.

4 2. As used in this section, the term "service-disabled veteran business"  
5 means a business concern:

6 (1) Not less than fifty-one percent of which is owned by one or more  
7 service-disabled veterans or, in the case of any publicly owned business, not less  
8 than fifty-one percent of the stock of which is owned by one or more  
9 service-disabled veterans; and

10 (2) The management and daily business operations of which are controlled  
11 by one or more service-disabled veterans.

12 3. In letting contracts for the performance of any job or service, all  
13 agencies, departments, institutions, and other entities of this state and of each  
14 political subdivision of this state shall give a three-point bonus preference to  
15 service-disabled veteran businesses doing business as Missouri firms,  
16 corporations, or individuals, or which maintain Missouri offices or places of  
17 business.

18 4. In implementing the provisions of subsection 3 of this section, the  
19 following shall apply:

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

20 (1) The commissioner of administration shall [have the goal of three]  
21 **grant or award four** percent of all such contracts described in subsection 3 of  
22 this section to be let to such veterans;

23 (2) If no or an insufficient number of such veterans doing business in this  
24 state submit a bid or proposal for a contract let by an agency, department,  
25 institution, or other entity of the state or a political subdivision, such goal shall  
26 not be required and the provisions of subdivision (1) of this subsection shall not  
27 apply;

28 (3) The commissioner of administration may promulgate rules in order to  
29 implement the provisions of this section. Any rule or portion of a rule, as that  
30 term is defined in section 536.010, that is created under the authority delegated  
31 in this section shall become effective only if it complies with and is subject to all  
32 of the provisions of chapter 536 and if applicable, section 536.028. This section  
33 and chapter 536 are nonseverable and if any of the powers vested with the  
34 general assembly pursuant to chapter 536 to review, to delay the effective date,  
35 or disapprove and annul a rule subsequently held unconstitutional, then the  
36 grant of rulemaking authority and any rule proposed or adopted after August 28,  
37 2010, shall be invalid and void.

38 **5. Subject to appropriations, funding in the amount of one**  
39 **hundred thousand dollars is to be provided by the office of**  
40 **administration to veteran organizations to promote service-disabled**  
41 **veteran businesses and contract procurement described in this section.**

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