

2018 Regular Session

HOUSE BILL NO. 754

BY REPRESENTATIVE FOIL AND SENATOR FANNIN

ECONOMIC DEVELOPMENT: Provides relative to certain veteran-owned small
entrepreneurships

1 AN ACT

2 To amend and reenact R.S. 39:2176(A)(4), relative to the Louisiana Initiative for Veteran
3 and Service-Connected Disabled Veteran-Owned Small Entrepreneurships; to
4 provide relative to maximum gross receipts thresholds for such entrepreneurships;
5 to provide for effectiveness; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 39:2176(A)(4) is hereby amended and reenacted to read as follows:

8 §2176. Certification of businesses by Department of Economic Development;
9 listing of veteran and service-connected disabled veteran-owned small
10 entrepreneurships; reporting

11 A. The secretary of the Department of Economic Development, hereinafter
12 referred to in this Section as the "department", shall certify businesses as veteran and
13 service-connected disabled veteran-owned small entrepreneurships for the purposes
14 of this Chapter. "Veteran-owned small entrepreneurship" and "service-connected
15 disabled veteran-owned small entrepreneurship" means any corporation, partnership,
16 individual, sole proprietorship, joint stock company, joint venture, or any other legal
17 entity which meets all of the following criteria:

18 * * *

19 (4) Together with any of its affiliate entities, has fewer than fifty full-time
20 employees ~~with average annual gross receipts not exceeding ten million dollars per~~

1 ~~year for construction operations and five million dollars per year for nonconstruction~~
2 ~~operations, for each of the previous three tax years.~~

3 * * *

4 Section 2. This Act shall become effective upon signature by the governor or, if not
5 signed by the governor, upon expiration of the time for bills to become law without signature
6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
7 vetoed by the governor and subsequently approved by the legislature, this Act shall become
8 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Abstract: Removes the maximum gross receipts thresholds for small businesses applying to the La. Initiative for Veteran and Service-Connected Disabled Veteran-Owned Small Entrepreneurships (Veteran Initiative).

Present law requires the secretary of the Dept. of Economic Development to certify a business as a veteran and service-connected disabled veteran-owned small entrepreneurship if the business meets all of the following criteria:

- (1) Independently owned and operated.
- (2) Not dominant in its field of operations, to be determined by consideration of the business' number of employees, volume of business, financial resources, competitive status, and ownership or control of materials, processes, patents, license agreements, facilities, and sales territory.
- (3) Is owned by and has officers who are citizens or legal residents of the U.S., all of whom are domiciled in La., and who maintain the principal business office in La.
- (4) Together with any of its affiliate entities, has fewer than 50 full-time employees with average annual gross receipts not exceeding a maximum of \$10,000,000 per year for construction operations and \$5,000,000 per year for nonconstruction operations, for each of the previous three tax years.

Proposed law removes criteria regarding maximum gross receipts thresholds specifying \$10,000,000 per year for construction operations and \$5,000,000 per year for nonconstruction operations, for each of the previous three tax years.

Proposed law otherwise retains present law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 39:2176(A)(4))