

2019 Regular Session

HOUSE BILL NO. 391

BY REPRESENTATIVES FOIL, CHAD BROWN, CARMODY, CONNICK, COUSSAN, COX, HILFERTY, HOLLIS, JEFFERSON, JORDAN, LEOPOLD, LYONS, MCMAHEN, MOSS, PEARSON, PUGH, AND THOMAS AND SENATOR BISHOP

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

VETERANS: Provides for the certification of veteran-owned businesses

1 AN ACT

2 To enact Chapter 60 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 51: 3201 through 3208, relative to economic development; to create The
4 Veterans First Business Initiative; to provide for the certification of veteran-owned
5 businesses; to provide for the creation of an insignia to identify a business as part of
6 the initiative; to provide a database to search for veteran-owned businesses; to
7 provide for community outreach and interagency cooperation; to provide for the
8 promulgation of rules; to provide definitions; to provide legislative intent; and to
9 provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Chapter 60 of Title 51 of the Louisiana Revised Statutes of 1950,
12 comprised of R.S. 51:3201 through 3208, is hereby enacted to read as follows:

13 CHAPTER 60. THE VETERANS FIRST BUSINESS INITIATIVE

14 §3201. Short title

15 This Chapter shall be known and may be cited as "The Veterans First
16 Business Initiative".

17 §3202. Legislative findings; creation; intent

18 A. The Legislature of Louisiana hereby finds and declares all of the
19 following:

20 (1) It is necessary and appropriate to honor the sacrifice that Louisiana
21 veterans have made on our behalf.

1 (2) A program recognizing and promoting veteran-owned businesses will
2 help to instill a sense of patriotism in the community and throughout the state and
3 will aid the men and women who were wounded, incapacitated, or otherwise placed
4 their lives on hold to fight for freedom.

5 (3) After serving in the armed forces, veterans often return with dreams of
6 starting a business to continue to serve the community, reassimilate, and earn an
7 income in civilian life.

8 (4) The legislature appreciates and recognizes veterans' sacrifices and
9 intends to encourage and promote veteran-owned businesses as a vital part of the
10 economy of the state.

11 B. The Legislature of Louisiana hereby creates The Veterans First Business
12 Initiative which shall be administered by Louisiana Economic Development.

13 C. It is the intent of the Legislature of Louisiana:

14 (1) That The Veterans First Business Initiative shall highlight and promote
15 veteran-owned businesses to the public making them easily identifiable and
16 accessible to enable citizens to support veterans.

17 (2) That a cooperation among Louisiana Economic Development, the
18 Louisiana Department of Veterans Affairs, local chambers of commerce, regional
19 economic development organizations, and local economic development
20 organizations throughout the state is harmoniously developed in order to promote
21 veteran-owned businesses.

22 (3) That The Veterans First Business Initiative shall reach out to veterans
23 who own businesses to encourage and assist the veteran to apply for the program and
24 to facilitate interactions between veteran-owned businesses and veterans seeking
25 employment.

26 §3203. Definitions

27 For the purposes of this Chapter, terms and phrases shall have the meanings
28 ascribed as follows:

29 (1) "Department" means Louisiana Economic Development.

1 (2) "Veteran" is an individual who meets either of the following
2 qualifications:

3 (a) A person who served in the active military and was discharged or
4 released under conditions other than dishonorable.

5 (b) An active or reserve member in any branch of the armed forces of the
6 United States, including the national guard, coast guard, and armed forces reserves.

7 (3) "Veteran-owned business" means a business of which at least fifty-one
8 percent is owned by a veteran.

9 §3204. Application; form; submission; confirmation; notification; appeal

10 A.(1) The department shall develop an application process including an
11 application form prescribed by the department, for the submission and processing of
12 applications for certification of a business as a veteran-owned business.

13 (2) As part of its procedure for certification, the department may require
14 applicants to provide information in addition to that requested on the application
15 forms.

16 (3) No business may be decertified as a result of any changes of application
17 form.

18 B. Upon receipt of an application, the department shall, in consultation with
19 the Louisiana Department of Veterans Affairs, confirm that the applicant is a veteran
20 and that the business is a veteran-owned business as defined in R.S. 51:3203.

21 C. The department shall notify the applicant of its decision to grant or deny
22 certification promptly after the decision has been made. If the department denies the
23 application, the decision shall set forth the basis for denial and provide the applicant
24 the opportunity to appeal the decision.

25 §3205. Insignia; creation; use

26 The department shall create an insignia for use by certified veteran-owned
27 businesses to indicate to the public that the business is part of The Veterans First
28 Business Initiative. After certification, a veteran-owned business shall have the
29 right and privilege of displaying the insignia on its storefront and on any promotional

1 or marketing materials. The display of the insignia serves to distinguish the business
2 as being veteran-owned.

3 §3206. Database

4 The department shall create and maintain a database of certified veteran-
5 owned businesses. The department shall make the database available for public
6 access on its official webpage.

7 §3207. Outreach

8 The department shall work in cooperation with the Louisiana Department of
9 Veterans Affairs for outreach to regional economic development organizations, local
10 economic development organizations, and chambers of commerce throughout the
11 state. The cooperation shall serve to encourage business owners who are veterans
12 to seek certification as part of The Veterans First Business Initiative and to promote
13 veteran-owned businesses that have been certified pursuant to the provisions of this
14 Chapter.

15 §3208. Promulgation of rules and regulations

16 The department shall promulgate, in accordance with the Administrative
17 Procedure Act, any such rules and regulations as are necessary to implement the
18 provisions of the Chapter.

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)]

HB 391 Engrossed

2019 Regular Session

Foil

Abstract: Creates The Veterans First Business Initiative.

Proposed law creates The Veterans First Business Initiative to be administered by La. Economic Development (LED) to certify a business as veteran-owned.

Proposed law provides legislative intent in the creation of The Veterans First Business Initiative to indicate the intention to honor the sacrifice that La. veterans have made, encourage them to start a business, and to recognize businesses as veteran-owned.

Proposed law envisions a cooperation among LED, the La. Department of Veterans Affairs (LDVA), local chambers of commerce, regional economic development organizations, and local economic development organizations throughout the state to promote veteran-owned businesses.

Proposed law provides that the intent of The Veterans First Business Initiative shall include outreach to veterans who own businesses to encourage and assist the veteran to apply for the program and to facilitate interactions between veteran-owned businesses and veterans seeking employment.

Proposed law requires LED to create the application and certification process, and create and maintain a database of veteran-owned businesses which is searchable on its website.

Proposed law requires the creation of an insignia which will identify a business as being certified as veteran-owned.

Proposed law requires the cooperation of LED and LDVA in order to confirm veteran status and promote the program.

Proposed law requires LED to cooperate with LDVA and local and regional economic development organizations and chambers of commerce in order to promote the initiative and veteran-owned businesses.

Proposed law requires LED to promulgate rules to implement proposed law.

(Adds R.S. 51:3201-3208)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Make technical changes.
2. Reorganize legislative findings and intent to commend veterans for their tremendous sacrifice, recognize the need for a program to aid in the reassimilation into civilian life, and encourage veterans to start businesses; to create The Veterans First Business Initiative; and to encourage cooperation between economic development organizations to promote and recognize businesses as veteran-owned and to facilitate interactions between veteran-owned businesses and veterans seeking employment.