

2019 Regular Session

HOUSE BILL NO. 391

BY REPRESENTATIVES FOIL, ABRAHAM, AMEDEE, BACALA, BAGLEY, BAGNERIS, BARRAS, BERTHELOT, BILLIOT, BOURRIAQUE, BRASS, CHAD BROWN, TERRY BROWN, CARMODY, STEVE CARTER, CHANEY, CONNICK, COUSSAN, COX, CREWS, DAVIS, DUBUISSON, EDMONDS, EMERSON, GAROFALO, GISCLAIR, GLOVER, GUINN, LANCE HARRIS, HENRY, HILFERTY, HILL, HOFFMANN, HOLLIS, HORTON, HUVAL, JACKSON, JEFFERSON, JENKINS, ROBERT JOHNSON, JONES, JORDAN, LACOMBE, TERRY LANDRY, LEGER, LEOPOLD, LYONS, MACK, MARINO, MCFARLAND, MCMAHEN, MIGUEZ, GREGORY MILLER, MOORE, JAY MORRIS, MOSS, NORTON, PEARSON, POPE, PUGH, PYLANT, SCHEXNAYDER, SEABAUGH, SIMON, SMITH, STOKES, TALBOT, THOMAS, TURNER, WHITE, AND WRIGHT AND SENATORS BISHOP, PEACOCK, THOMPSON, AND WALSWORTH

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".

1           §3202. Legislative findings; creation; intent

2           A. The Legislature of Louisiana hereby finds and declares all of the  
 3           following:

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

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

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

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

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

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

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

22          (2) That a cooperation among Louisiana Economic Development, the  
 23          Louisiana Department of Veterans Affairs, local chambers of commerce, regional  
 24          economic development organizations, and local economic development  
 25          organizations throughout the state is harmoniously developed in order to promote  
 26          veteran-owned businesses.

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

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1           §3203. Definitions

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

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

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

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

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

11                   (3) "Veteran-owned business" means a business of which at least fifty-one  
 12           percent is owned by a veteran or by a Gold Star surviving spouse of a member of the  
 13           armed forces as defined by the United States Department of Defense, and as may be  
 14           further provided for in rules promulgated under this Chapter.

15           §3204. Application; form; submission; confirmation; notification; appeal

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

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

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

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

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

1           §3205. Insignia; creation; use

2                   The department shall create an insignia for use by certified veteran-owned  
3           businesses to indicate to the public that the business is part of The Veterans First  
4           Business Initiative. After certification, a veteran-owned business shall have the  
5           right and privilege of displaying the insignia on its storefront and on any promotional  
6           or marketing materials. The display of the insignia serves to distinguish the business  
7           as being veteran-owned.

8           §3206. Database

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

12           §3207. Outreach

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

20           §3208. Promulgation of rules and regulations

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_